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STEVE SVIGGUM
SPEAKER

In this issue:

THE 2002 LEGISLATURE CONVENES

STADIUM PROPOSAL, BUDGET SHORTFALL, AND MORE

HF2586-HF2800

Session Weekly

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On the cover: House Speaker Steve Sviggum pounds the gavel shortly after noon Jan. 29 to begin the 2002 Legislative session.

—Photo by Tom Olmscheid

Back to work

Day one of the 2002 legislative session focused on hiring freezes, patriotism

BY LISA HILTON AND SARAH MCKENZIE

After opening with patriotic songs on the first day of the legislative session Jan. 29, the House quickly moved on to the state's pressing budget problem and adopted a hiring freeze resolution.

Day one for legislators contrasted sharply with the beginning of the 2001 legislative session when lawmakers returned to decide what to do with a \$924 million surplus.

This year, the Republican-controlled House, DFL-controlled Senate and Independent Gov. Jesse Ventura are charged with fixing the state's projected \$1.95 billion budget shortfall.

The hiring freeze resolution, approved

action to reduce the size of state government. That's where we should start."

Pawlenty, who introduced the resolution on behalf of the House Rules Committee (which has jurisdiction over personnel matters), cautioned against balancing the budget by cutting funding for schools or nursing homes.

"We need to start somewhere, and this is a good first step," he said. "We just can't keep everything that we've got. We've got to start making some reductions."

House leaders have not offered a detailed plan to shore up the budget, but they have pledged to oppose any tax increases and have also advocated spending cuts.

\$300 million. Others have dismissed the potential cost savings as minimal.

Meanwhile, House Minority Leader Rep. Tom Pugh (DFL-South St. Paul) questioned the usefulness of a statewide hiring freeze at a press conference just before the session commenced, saying the state likely has enough money in its reserves to avoid it.

The DFL members of the House have come out strongly against cutting funding for education and health care programs.

"In resolving the budget crisis and addressing the job losses, Democrats will stick by the values we have always stood for," Pugh said. "Our priorities are our kids, our seniors, health care and our working families."

Pugh called on the Ventura administration to expedite the release of a new economic forecast.

"Nothing is going to happen on the budget until we get the new forecast," he said.

The Department of Finance is expected to issue a revised budget forecast in February. In November, the forecast revealed a decline in state revenue from sales and income taxes.

Before focusing on the state's budget shortfall, House members paused to reflect on the victims of the Sept. 11 terrorist attacks.

The House passed a resolution introduced by Rep. Tom Hackbarth (R-Cedar) honoring the victims of the attacks, the rescue workers and the military.

"(The state) pledges its unwavering support to the President and the Congress in their response to this tragedy and stands ready to assist in any way it can," the resolution states.

The patriotic pageantry on Jan. 29 also included renditions of the "The Star Spangled Banner" and "America the Beautiful" by the Land of Lakes Choirboys from Elk River, who were clad in red, white and blue.

In keeping with the patriotic theme, Rep. George Cassell (R-Alexandria) introduced a bill requiring all Minnesota students to recite the Pledge of Allegiance each day. Meanwhile, Rep. Irv Anderson (DFL-Int'l Falls) and Rep. Tom Rukavina (DFL-Virginia) introduced bills that would make it illegal to sell U.S. flags or items with the flag on them unless they are made in the United States. Representatives were asked by Rep. Rob Eastlund (R-Isanti) to sign a display of the state flag that will be sold at an auction for charity.

All told, House members introduced a



PHOTO BY TOM OLMSCHEID

House Minority Leader Tom Pugh addresses the full House on the first day of the 2002 session.

122-9, bars the House from filling vacant positions while recommending the governor and Senate follow the same course of action.

"A hiring freeze is a common sense approach to getting state spending under control," said House Majority Leader Tim Pawlenty (R-Eagan). "This governor has proposed jacking up all kinds of taxes and cutting money for schools, but he has not taken

At a Jan. 28 news conference, House Speaker Steve Sviggum (R-Kenyon) said the state should follow the lead of governors around the nation who have enacted hiring freezes in the executive branch. He said California, New York, and Wisconsin have enacted such measures.

House Republicans have estimated the savings would range between \$50 million and

number of bills related to the war on terrorism on opening day, including:

- a measure appropriating grants to local communities to purchase equipment to fight terrorism;
- a bill requiring that state employees activated for National Guard or other active military duty on or after Sept. 11 be paid the difference of their salaries;
- a bill appropriating money for hazardous material teams;
- a measure calling on the state to cover law enforcement costs to secure the state's nuclear power plants;
- a bill that would make it a felony to plan, encourage, or commit "certain terroristic acts intended to affect the conduct of government or advance an ideological or other system of belief."

Members offered words of support for members of the Minnesota Air National Guard who were deployed one day earlier to assist troops in Afghanistan.

"This will be a session focused on balancing the budget and protecting our homeland security," Speaker Sviggum said. "The House of Representatives reinforced those priorities today."

Other bills that were introduced on Jan. 29 include a bill that would make it illegal to use a cell phone while driving and an increase of the gas tax to pay for transportation projects.

Day one of the session was not without the foreshadowing of sadness as Sen. Linda Scheid (DFL-Brooklyn Park) placed a rose on the desk of her friend, Rep. Darlene Luther (DFL-Brooklyn Park).

In his opening prayer, the Rev. Eugene Stenzel of St. Casimir Church in Wells mentioned Luther, who was absent from the first day because of failing health.

The 54-year-old, fifth-term representative died of stomach cancer one day later. 🌹

Correction

In the *Session Weekly Interim Report*, a photo caption misidentified the languages of a message placed on the State Capitol steps after Sept. 11. The languages should have been English and Hebrew.

We regret the error and any inconvenience it may have caused. We further want to emphasize that the error was an oversight and was not at all intended to offend. We take our responsibility to be accurate very seriously, and we have put measures in place to avoid these kinds of errors in the future.

We thank you for your patience and continued support of *Session Weekly*.



Two for one

State flag did not always appear as it does today

For 35 years of its existence, Minnesota had no state flag, but when one was finally adopted it was visibly different from what today waves in the breeze above "The Land of 10,000 Lakes."

When Minnesota became the 32nd state in 1858, a state seal was already in the works (it was formally adopted in 1861) and a state motto was adopted.

The creation of the state flag did not begin until 1891, when Minnesota legislators voted to sponsor an exhibit at the 1893 World's Fair in Chicago.

In the July 1947 *Hennepin County History*, Mrs. W.S. Lindsley wrote that after Congress created a World's Fair Commission, each state was directed to provide a state commission on the matter. Six men were appointed to a board and six women were later promoted to an auxiliary commission.

"The auxiliary members soon discovered the lack and need of a state flag (for the exhibit)," Lindsley wrote. "The women drew up a petition asking the legislature to make a provision for a state flag."

On Feb. 28, 1893, the commission selected a design by Amelia Hyde Carter of Minneapolis from the more than 200 entries submitted. Carter received \$15 for her design.

In April of that year, the Legislature gave its approval of the flag, which was made of white silk with a design on one side and plain blue on the reverse. Three sides of the flag were bordered by bullion fringe. "In the center (of the white silk) is the state seal wreathed with white moccasin flowers on a blue ground," Lindsley wrote. "The red ribbon of the seal bearing the motto is continued through the wreath, entwining the blossoms and floating carelessly over the lower portions of the flag."

The account continues, describing the important dates of 1819, the time of the first settlement in Minnesota, and 1893 the time of the adoption of the state flag. Above was the date 1858, significant to

Minnesota's admission to the union. Below the design was written Minnesota.

All of those pieces were "wrought" in gold.

Grouped around the seal were 19 stars in the design of star points, with the North Star, significant of the North Star State, in a group of three at the top.

Two famous needlework artists, Thomane and Pauline Fjelde, embroidered the flag. They earned a gold medal at the fair for their efforts.



Minnesota's first flag, housed at the Minnesota Historical Society.

Atop the flagstaff was a golden image of a gopher, from which a gold cord and tassels hung.

For more than 60 years the white and blue flag was one of the most recognizable state symbols, but it was changed in time for the state's 1958 centennial.

"In 1955, the state legislature established a special committee

to resolve several functional problems with the flag," William Becker wrote in the Spring 1992 issue of *Minnesota History*. Other state flags measuring three-feet-by-five-feet cost about \$7 to make, but Minnesota's was about five times as much because of its two-colored sides. Also, the bulk of Minnesota's flag made it too vulnerable to fly in heavy winds.

"The panel recommended that the flag be of a single thickness, deep blue on both sides, with the seal and stars appearing on a circular white ground," Becker wrote. The recommendations were adopted on March 18, 1957.

Becker and Lee Herold, also from Rochester, proposed a new flag design in 1989, featuring three horizontal stripes of blue, white and green representing the sky and water, snow, and forest and agriculture. A gold star symbolizes the North Star State. However, no bill to change the flag in that manner was introduced.

In June 2001 the North American Vexillological Association ranked Minnesota's flag 67th best among the 72 state, provincial and territorial flags in the United States and Canada.

(M. COOK)

★ AGRICULTURE

Budget cuts questioned

The House Agriculture and Rural Development Finance Committee met Jan. 17 to review Gov. Jesse Ventura's proposed budget cuts, in light of a projected \$1.95 billion budget shortfall.

On the chopping block are programs supported by the Department of Agriculture, Agricultural Utilization Research Institute, Board of Animal Health, and Minnesota Horticultural Society.

Under the plan, the Department of Agriculture would see \$9.7 million in budget reductions for the 2002-03 biennium. The governor is so concerned with the threat of bioterrorism that no cuts were recommended in the key areas of meat inspection and laboratory services, Assistant Commissioner Tom Masso said.

Several committee members questioned the governor's proposal to decrease ethanol producer payments from 20 cents per gallon to 18 cents per gallon, which would reduce the total payments by nearly \$7.1 million for the 2002-03 biennium.

Minnesota's ethanol producers have been eligible for the payment program since 1986, with 13 plants receiving aid as of July 2001.

In order to make the cuts effective for fiscal year 2002, which ends on June 30 of this year, fourth quarter payments would likely be prorated and producers would receive significantly less than they were expecting.

"I don't believe there is a member on this committee that will sit still if we see some plant closings as a result of the governor's budget recommendations," said Rep. Bob Ness (R-Dassel), the committee chair.

Rep. Al Juhnke (DFL-Willmar) questioned the reasoning behind a budget balancing plan that would protect the labs that detect bioterrorism but not protect ethanol production and other modes to reduce reliance on foreign oil.

Also under the governor's plan, the Minnesota Horticultural Society annual state grant of \$82,000 would be reduced by 20 percent beginning in fiscal year 2003.

The Board of Animal Health would see reductions in the amount of \$292,000 for the 2002-03 budget cycle. These cuts would reduce the board's ability to detect avian pneumovirus in the state's turkey flocks and decrease the frequency and scope of the voluntary John's Disease control program, according to the board's executive director, Dr. Bill Hartmann.

"John's Disease is probably the biggest stumbling block for dairy farmers out in rural Minnesota," Rep. Greg Blaine (R-Little Falls) advised the committee.

And finally, the governor has proposed budget cuts for the Agricultural Utilization Research Institute in the amount of \$801,000 for the 2002-03 biennium.

The committee will further review the recommendations as they prepare their own budget balancing initiative.

Ag safety net

Many farms in the northwestern and west-central areas of Minnesota have been hit hard in recent years by flooding, followed by an extended period of wet weather that fostered crop diseases such as wheat scab. These conditions coupled with low commodity prices

have contributed to multiple years of crop losses for some farmers.

A network of nonprofit rural farm programs has been developed to help farmers with the complexities of farm recovery or exit strategies, offering services including agribusiness management education, tax and legal advice, and mental health counseling.

The Agriculture Programs Subcommittee of the House Agriculture Policy Committee held an informational hearing Nov. 29 to highlight the legal and social services provided by the programs in these two regions, including Rural Life Outreach, Farm Wrap, Farm Advocates, Farm Business Management, and the Passing on the Farm Center.

Subcommittee chair Rep. Michelle Rifenberg (R-La Crescent) said she intends to use the testimony to develop a flow chart of rural agriculture-related programs and services to help legislators and staff better serve their constituents from farming communities.

Glynice Johnson of Thief River Falls, chair of the Rural Life Outreach Board, said her organization is unique because it is the first point of contact in the safety net and there are no particular qualification hoops to jump through. It is cost-effective, she said, because it can often prevent more serious trouble and additional costs to the state down the road.

Rural Life Outreach clients are referred through a number of contacts, most often word-of-mouth. The program leverages emergency funds for groceries or utility bills. Program staff members will sit down and help farmers go through the mail and deal with the paperwork, as well as encourage them to seek counseling, financial or otherwise.

Sometimes financial troubles reach the point where mediation is required with lenders and other creditors. This is where the Minnesota Farm Advocate Program supported by the state's Department of Agriculture can help.

And often the only option is to leave farming and enter a new career.

"I think what we have to acknowledge in the farm game is people are going to be leaving this business and they don't know how to deal with it," said Cam Fanfulik, Farm Wrap Program Coordinator. "Farmers are a proud and independent people."

Fanfulik explained that exiting the farm does not take place within one year, particularly with tax liabilities to take under consideration. Farm Wrap is a good investment, he said, because in many cases the program prevents bankruptcies and decreases migration to metropolitan areas by enabling people to remain in their local communities.

REMEMBERING REP. LUTHER

PHOTO BY TOM OLMSCHEID

A single rose is placed on the empty chamber desk of Rep. Darlene Luther by friend and Senate colleague Linda Scheid on the opening day of session Jan. 29. Surrounded by her family, Luther died of stomach cancer one night later at her home in Brooklyn Park.

"There's too many gaps that exist in our social services agencies," Fanfulik said. "It's a frustrating process to go through if you don't know what to do."

The state of dairy

As part of the 2001 Farm and Power Show Nov. 28 in Minneapolis, farmers and legislators viewed the latest farm technology and equipment and were updated on challenges facing the industry.

House Agriculture and Rural Development Finance Committee Chair Rep. Bob Ness (R-Dassel) outlined several of the challenges facing the committee to develop and enhance rural agricultural growth, including the struggles for investment capital and friendlier regulatory agencies.

Although the dour November Forecast had not yet been released, there were already rumblings of state budget woes.

"Hopefully we can try our best to insulate the agricultural community," Ness said.

Representatives from the Minnesota Department of Agriculture and the Pollution Control Agency presented updates on the state's dairy industry and the status of the recently completed economic impact statement on animal agriculture. Funded by the 1998 Legislature, the study examined the economic, environmental, and social issues surrounding feedlots and the livestock industry.

Kurt Markham, director of the Agriculture Department's Agricultural Marketing Services Division, summarized a recently completed national study examining the future of the dairy industry and its producers, processors, and retailers.

The West will see the largest production gains, Minnesota and other Central Plains states will remain about even, and the East could see a drop in production due to inefficient processing plants, he said.

The study also predicts that dairy herds in the Southwest and Pacific regions will remain the most competitive for a variety of reasons, including environmental regulations and banking attitudes.

Minnesota lost about 600 dairy farms last year, said Harold Stanislawski, agriculture development specialist for the department. At last projection, the number of dairy farms in the state was 7,084, he said.

"Everyone is working hard to come up with solutions, particularly considering the complexity of our economy and the peril of our producers," Ness said.

BONDING



Lino Lakes prison project

Corrections officials are proposing a \$4.1 million bonding project at the medium-security Lino Lakes prison in an effort to increase safety at the facility.

The prison houses about 1,200 adult male inmates. Opening in 1963, it was constructed in a "cottage style" format to accommodate about 200 juvenile prisoners.

Most of those original buildings are still being used, and they're not sufficiently equipped to guarantee either officer or inmate safety, officials say.

"We don't have a medium-security facility that was built for those offenders," said Dennis Benson, deputy commissioner of corrections, on Dec. 5. Benson was addressing members of the House Capital Investment Committee during a tour of the facility.

Lino Lakes is the primary facility in the system for sex offender treatment. A 300-bed chemical dependency treatment program is also located in the facility.

The project is considered the department's top bonding priority for 2002. Gov. Jesse Ventura recommended full funding for the project.

According to Robert Feneis, warden of the Lino Lakes facility, officers can currently only lock about 15 percent of the inmates into their cells, if necessary. This is particularly important if there is a problem between inmates and officers need them to go back to their cells and cool down. They must rely on the inmates to do that on their own.

Fire codes, Feneis said, prohibit officials from locking most of the cells in the facility.

In fact, since most of the cells don't have a toilet or sink, inmates have keys to their rooms so they can go in and out to use a common bathroom.

Beyond that, officials are concerned that guards are not able to see all cells from the guard station. Moreover, the cottages are built so they can't see into actual cell doors.

The request is for one new unit that models two other larger units on the grounds, which allow one guard to see every cell on a four-wing pod structure. The buildings look much like an "X" with the guard stationed at the point of intersection.

The request to the state is only a portion of the cost for the new unit. Corrections officials say they will use \$10.1 million in federal funds for the remainder of construction costs.

Part of the plan also recommends demolishing some cottages and building additional facilities for programming. Feneis noted that the facility doesn't have enough space to run

the programs there, such as the treatment and educational programs, and MINNCOR industries.

The project is prompted in part by an incident nearly two years ago involving the rape of a correctional officer. Officials are concerned that any further changes to existing buildings will not provide sufficient safety.

"We've done what we can with stopgaps to address that," said Commissioner Sheryl Ramstad-Hvass. "But our hands are tied to do anything else. This really is a high priority because we really can't afford to have staff in harm's way."

BUDGET



Budgetary woes

For the first time since 1992, lawmakers will enter a legislative session with a projected budget deficit.

Department of Finance Commissioner Pam Wheelock told the House Ways and Means Committee Dec. 5 that the November forecast projects a \$1.9 billion deficit for fiscal years 2002-2003.

The forecast also indicates that a previously projected \$242 million positive balance in fiscal year 2005 will now become a \$1.2 billion structural deficit under current tax and spending laws.

Wheelock indicated that the downturn in the national economy has had an impact on all states.

"Every other state in the country is going to end up facing this challenge about changes in expectations," she said. "Minnesota is actually as well prepared as any other state in this country, not just because of this budget and decisions on this budget, but because of years of commitment to improving financial management practices."

Rep. Dave Bishop (R-Rochester), the committee chair, praised Wheelock and Gov. Jesse Ventura's administration for insisting last session that \$235 million be left "on the bottom line" rather than including it in the rebate amounts.

There is also \$653 million remaining in the state's budget reserve, the use of which Wheelock said is not triggered by a forecast deficit. The state also has \$350 million in its cash flow account.

The February 2001 forecast projected an \$1.5 billion surplus for the biennium. But a recession that economists now say began in March 2001 and the events of Sept. 11 helped turn the forecasted surplus into a deficit.

State Economist Tom Stinson said employment in Minnesota fell by 23,000 jobs in September and October.

Thus individual income tax collections are expected to be \$873 million less than expected. Additionally sales tax collections in the state are projected to be \$829 million less than forecast, and corporate income revenues are expected to be down \$470 million from February.

Stinson said that because of the unprecedented events of Sept. 11, it is uncertain how the economy will respond and how quickly it will bounce back.

Economic development cuts

Everything from haircuts to home ownership would feel the affects of Gov. Jesse Ventura's proposed budget cuts, the House Jobs and Economic Development Finance Committee was told Jan. 17.

The committee received an overview of how the governor's proposed cuts would affect agencies and organizations under the committee's purview. Ventura asked each department to recommend 10 percent cuts to their budgets.

Among the proposed cuts is the elimination of the Department of Commerce's cosmetology enforcement unit.

Commerce Commissioner Jim Bernstein said when looking at what to cut the department took into consideration what areas had the most impact on taxpayers and what the department does that isn't done elsewhere.

Although he said the unit's enforcement responsibilities are important, he added cuts had to be made somewhere. Licensing requirements would remain in place but actual inspections would be eliminated.

Currently the department inspects salons and cosmetology schools once every two years. If a problem is found, the department can take disciplinary action against an individual or salon's licensee, including reprimands, a fine, or license revocation.

Kit Hadley, commissioner of the Minnesota Housing Finance Agency, said that in considering potential cuts the agency tried to protect programs that serve the most vulnerable populations and those that have no existing alternative funding sources.

Among cuts to the agency, Ventura is proposing to reduce funding for the housing assistance program. That program helps reduce the down payment and closing costs for low income, first-time homeowners.

The administration also proposes to reduce the rehabilitation loan program and eliminate the manufactured housing program.

Rep. Karen Clark (DFL-Mpls) said that in a time of affordable housing shortages, any cuts are "counterproductive in the most basic way."

Rep. Tony Sertich (DFL-Chisholm) said the proposed cuts to economic development programs appear to be weighted against Greater Minnesota communities. "What does the governor have against rural Minnesota"? he asked.

CAPITOL VIEW



PHOTO BY ANDREW VON BANK

Rep. Dennis Ozment, right, and House staffers Mary Telega, middle, and Marilyn Brick, left, get a bird's eye view of the Capitol grounds atop an aerial platform truck during a Jan. 29 Fire/EMS event on the Capitol Mall. The event was designed to educate the public on fire and emergency medical services.

★ CONSUMERS

Refining windshield laws

It seems everyone is unhappy about the state's auto glass repair laws, except consumers.

Department of Commerce Commissioner Jim Bernstein told the House Commerce, Jobs, and Economic Development Policy Committee Jan. 17 that the department receives few complaints from consumers about the way their broken windshields were repaired.

But he said the department has become involved in determining fair prices for repair, as well as negotiating some of the differences between what price repair companies charge and insurance companies find appropriate. And he doesn't think it is an appropriate role for the department.

"We support any bill that gets the Department of Commerce out of the business of regulating the price of auto glass repair," Bernstein said. "The marketplace should be allowed to work."

The committee heard three ideas that would change a 2000 law that makes insurance companies pay market price for glass replacement as determined by a survey of costs charged in communities around the state.

"(The law) was a compromise between all parties involved," said Rep. Ken Wolf (R-Burnsville), who sponsored the 2000 law. "The survey quite frankly just isn't working."

Wolf is sponsoring HF2570 that would allow insurance companies to cover damage to glass on the same basis as damage to other parts of an automobile, and eliminate the market survey.

David Williams, national glass manager for State Farm Insurance, said that because of the survey auto glass costs in Minnesota, already the highest in the nation, are increasing.

He said the survey establishes a target that repair companies charge, rather than the actual market price cost of the repair.

Mark Anderson, owner of an auto glass repair shop in St. Paul, said he supports maintaining the survey and establishing an arbitration process for resolving disputes.

"Keeping the survey is imperative because there is no other way to define the market," Anderson said. Eliminating the survey would "run the risk of putting 190 small shops out of business," he said.

Establishing an arbitration process was one of two other plans the committee heard, even though neither has been formally introduced.

That idea, which had no sponsor at the meeting, would require the party who loses the arbitration process to pay the fees involved within 10 days after the decision is rendered.

They would also be banned from requesting arbitration against the same party for one year.

Rep. Tom Rukavina (DFL-Virginia) is sponsoring a bill that would allow deviation from the market price determined by the survey to take into account the geographic region involved.

Rukavina said the survey's market price for the cities around Duluth are skewed because of the size of Duluth. Because of this he said some constituents are forced to drive 50 to 100 miles to get their auto glass repaired at a price an insurance company is willing to pay.

No votes were taken at the meeting.

★ EMPLOYMENT

Unemployment needs requested

Joseph Wellcome has been receiving unemployment checks since July 2001. The 43-year-old former tool and die maker, who was laid off when his employer of 20 years was closed, is near completion of a degree program in manufacturing, something that wouldn't have been possible without state assistance for tuition and books.

"This program has been a real blessing for me," Wellcome told members of the House Jobs and Economic Development Finance Committee Jan. 30. State unemployment agencies and workforce centers appeared before the committee to request more financial resources as economic conditions are unlikely to improve in the coming months.

Wellcome said more unemployment insurance is needed. He testified that to provide health insurance for his two children and wife, who is also unemployed and working toward a nursing degree, it would cost him between \$650 and \$700 a month, an amount his family could not afford.

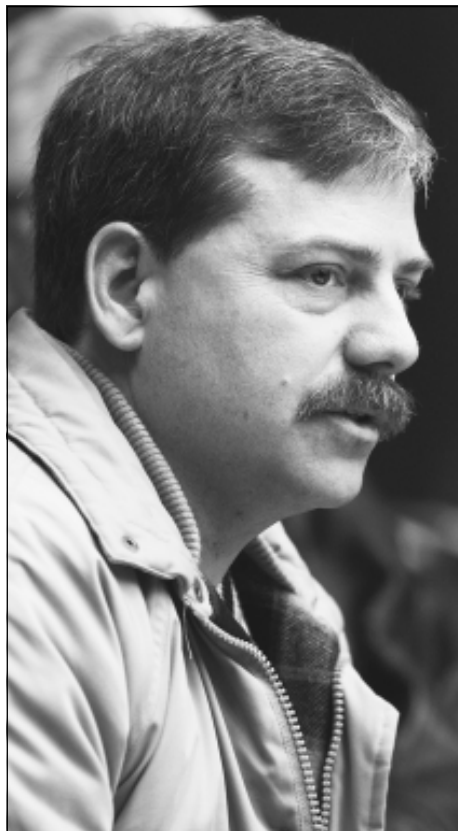
"This is the time to make this work," said Rep. Tim Mahoney (DFL-St. Paul). But there are no proposals yet, and Committee Chair Rep. Dan McElroy (R-Burnsville) explained that due to the computer system used for unemployment disbursement, changes could not be implemented until January 2003.

Rebecca Yanisch, commissioner of the Department of Trade and Economic Development, said unemployment has jumped from 3.2 percent to 4 percent in the past year.

Fiscal year 2001 was a record year for the Dislocated Workers Program, she said, serving 14,500 people. "At the rate we're at, we will, in 2002, double the record set in 2001."

Yanisch said current program funds could not serve Minnesota-based Fingerhut, which could soon lay off 2,700 people in the state.

"Are we going to run out of money?" asked



Joseph Wellcome from Big Lake, who lost his tool and die job last July, urges members of the House Jobs and Economic Development Finance Committee Jan. 30 to continue and increase funding to the state's Displaced Workers Program.

Rep. Tony Sertich (DFL-Chisholm).

"We are going to be hard pressed to manage our resources through the end of this fiscal year," Yanisch replied. Fiscal year 2002 ends on June 30.

The Dislocated Workers Program was recently awarded \$8 million from a \$24 million request to the federal government for emergency assistance. Yanisch said she hopes that money will "take the stress off local workforce centers."

McElroy said a final decision would be made after legislators receive the February budget forecast.

★ ENVIRONMENT

PCA operations discussed

Less than one-half of the state's major factories and wastewater plants operate with renewed water quality permits, according to a legislative auditor's report presented to the House Environmental and Natural Resources Finance Committee Jan. 30.

With 54 percent using expired permits, the state's industries lag behind the U.S. Environmental Protection Agency's goal of 10 percent. The national average is 25 percent.

Joel Alter, the report's author, cited a number of reasons for the backlog: the permits are complex and some have been contested, agency budget reductions, a 1998 staff reorganization, and problems with a new computer program.

In a letter responding to the findings, Minnesota Pollution Control Agency Commissioner Karen Studders wrote that the report "is an accurate analysis."

Studders said that the agency has been required to divert resources and staff members to the state's feedlot regulatory program and other high-priority programs, which has made it difficult to tackle the permit backlog. But the agency is taking steps to address the problem through agency reorganization and increased enforcement.

Rep. Jean Wagenius (DFL-Mpls) expressed concern that the report didn't raise broader questions about the quality of the state's waterways. For instance, she said the report should have investigated the overall question of what it would take to improve the state's lakes and rivers.

"We have no idea about outcomes. We are still in the old-fashioned mode of process," she said. "Minnesota used to be on the cutting edge of these questions. Now we don't even ask."

Committee members also reviewed a legislative auditor report on PCA funding that found the agency's staff costs have risen by 33 percent from 1996 to 2001, higher than the average 25 percent increase for other state agencies.

While the agency's employee expenses have risen, the revenue from water quality and hazardous waste fees has not increased since 1992. In addition, there have been revenue shortfalls since the mid-1990s.

Committee Chair Rep. Mark Holsten (R-Stillwater) raised questions about whether the agency could raise the fees without a legislative mandate. He also said he hoped the committee could address the agency funding problems this session despite the state's projected \$1.95 billion budget shortfall.

★ GAMBLING

Increasing state funds

Facing a state budget deficit of nearly \$2 billion, two lawmakers have offered bills they say would generate needed revenue for the state.

Rep. Dave Bishop (R-Rochester) and Rep. Tom Hackbarth (R-Cedar) presented state casino bills to the House Governmental Operations and Veterans Affairs Policy Committee Dec. 5. No votes were taken, since the

Legislature had not yet reconvened its regular session.

Bishop's bill (HF1036) would allow the Minnesota State Lottery to establish a casino in the Twin Cities metropolitan area. Sixty percent of the casino funds would be distributed to a new economic development fund with the remainder dedicated to the state's environmental trust fund.

"This is the greatest opportunity available in the next session for additional revenue short of new taxes," Bishop said.

Lottery Director George Andersen said studies indicate that a casino placed next to the Mall of America could generate up to \$200 million in net revenue for the state annually.

Andersen said the gambling market has not reached a saturation point.

"Minnesotans love to gamble," he said pointing to a survey that said 94 percent of all Minnesotans have placed a bet, when purchasing a raffle ticket is included in the definition of betting.

Rep. Len Biernat (DFL-Mpls) said that expanding the already passed constitutional amendment allowing the state lottery to include casino gambling could be seen as a "ruse" on the public to justify not placing the matter before the people for them to decide.

HF2528, sponsored by Hackbarth, would require a constitutional amendment to authorize one or more privately operated casinos in the state.

Hackbarth said the bill, as it is drafted, would dedicate casino funds to highway or education funding, but that he was willing to amend that to address other issues as long as the scope remains focused.

James Belisle, president of Multi-Gaming Management, Inc., said a privately run casino would likely be run more efficiently than a state-run casino and would therefore generate more funds for the state.

Rep. Steve Dehler (R-St. Joesph) said dedicating the funds for education or transportation doesn't necessarily mean those state priorities would receive more funding.

He said that nothing in the bill would require current funding levels to remain, and it is likely that with dedicated funding available future legislatures might be tempted to shift current funding to other areas.

Expansion ideas

Gamblers would be able to play slot machines at the airport, Canterbury Park, and two undetermined Twin Cities locations under proposals heard by the House Governmental Operations and Veterans Affairs Policy Committee Dec. 12.

Rep. Mark Holsten (R-Stillwater) is sponsoring a proposal that would allow the state lottery to enter into an agreement with Canterbury Park to put slot machines and blackjack tables at the Shakopee horse racing facility.

Although not formally introduced in the House, Holsten said the plan is similar to bills he sponsored in 1997 and 1999. If the state decides to get involved in a casino, he said the track is the best location since it would not expand gambling because pari-mutuel wagering and card playing already occurs there.

Similar to the lottery, the revenue generated from the slot machines would be divided between the environment and natural resources trust fund and a new fund that could be used for other spending needs.

Holsten estimated that casino funds would add \$30 million to \$80 million to the state's revenue annually.

Rep. Phyllis Kahn (DFL-Mpls) said she considers gambling "a regressive tax on stupidity," because those who can least afford to lose money are often the ones hit hardest.

She is the sponsor of HF1689 that would allow the lottery to operate a casino at the Minneapolis/St. Paul International Airport. Only passengers with airline tickets for flights would be allowed in the casino.

Because those with higher disposable incomes tend to fly more often, Kahn said the airport casino would not be as regressive as other proposals. She did not have an estimate of how much revenue would be generated, but said the funds would be used for general purposes.

In an effort to address funding needs for sports stadiums, Rep. Tony Kielkucki (R-Lester Prairie) is sponsoring HF2608. The bill would require the owner of a privately run, state-licensed casino to pay an up-front fee of \$450 million. The owner would have the exclusive rights to run up to two casinos in the Twin Cities metropolitan area.

Kielkucki said his constituents have repeatedly told him they are against state funding of a stadium but want to keep the Twins and Vikings in Minnesota. In addition to the up-front fee, he said the casino would generate between \$35 million and \$40 million per year for the state, not including the property, income, and other taxes generated.

John McCarthy, executive director of the Minnesota Indian Gaming Association, said his organization is against all the proposals because they would expand gambling in the state — something American Indian tribes agreed not to do when the gambling compacts were signed.

McCarthy said tribal governments have honored the compacts by limiting gambling

to certain games and limiting gaming activities within reservation boundaries.

"Turning Minnesota into Las Vegas is bad for Minnesota, bad for tribal government, and bad for the gaming revenue tribal governments use to partner with rural governments throughout the state," he said.

★ GOVERNMENT

Altering airport oversight

The Legislature would have more control over how the Minneapolis/St. Paul International Airport and its six reliever airports are operated, under a measure heard by the House Governmental Operations and Veterans Affairs Policy Committee Nov. 29.

As it is currently written, HF2568, sponsored by Rep. Tim Wilkin (R-Eagan), would fold the Metropolitan Airports Commission into the state Department of Transportation effective July 1, 2003. But after discussing the issue with other lawmakers and because that department's "plate is full," Wilkin said he will likely amend the bill to make the airports commission a separate state agency.

"The Legislature needs to have a bigger say and some oversight" in how the airport is run, Wilkin said, citing the size of the commission's \$170 million annual budget.

By making the commission a state agency, the bill would require the commission to have its budget approved by the Legislature like other state agencies do.

"The airport serves the entire state, yet we don't have a whole lot of say on what goes on," Rep. Tony Kielkucki (R-Lester Prairie) said in support of the bill.

Wilkin and some committee members were critical of the commission's decision to increase its 2002 budget by 3 percent over the previous year, including salary increases, while Northwest Airlines, its chief tenant, is experiencing financial difficulties.

Former Gov. Arne Carlson testified that it is critical for the state to ensure that the Minneapolis/St. Paul International Airport remains a hub for Northwest Airlines.

"The hub is of frightful importance to the economy of the state," Carlson said. "If you take the hub out of Minnesota it would be like pulling the veins out of your body."

Carlson said he thought it was important that an independent entity oversees airport operations. But he also emphasized that it is vital for the Legislature to carefully scrutinize the governor's appointments to the commission, as well as build better relationships with the airline industry.

Dave Dombrowski, deputy executive director of government affairs for the Metropolitan Airports Commission, said the group agrees that the aviation industry is of critical importance to the state.

Cuts start at the top

The state budget deficit will even directly affect the governor's office, the House State Government Finance Committee was told Jan. 24.

To help address the \$1.95 billion projected deficit, Gov. Jesse Ventura asked state agencies to propose 5 percent and 10 percent reductions to their budgets. The administration then incorporated the requests into their own proposal to the Legislature.

Steven Bosacker, Ventura's chief of staff, said among the proposed cuts to the governor's office is a reduction of nearly eight full-time equivalent positions. Four jobs would be reduced with the elimination of the state's Office of Citizen and Volunteer Services.

Rep. Harry Mares (R-White Bear Lake) said cuts have to be made, but the state's volunteers should continue to be recognized for their contributions.

Mares said volunteerism has played an important role in many Minnesotans' lives — "everything from the first regiment at Gettysburg to Meals on Wheels." He said the value of volunteer services in the state is an estimated \$6.5 million per year.

The office's mission is to promote citizen participation efforts, increase the impact of volunteer programs, and stimulate public-private partnerships in Minnesota. Bosacker said the administration agrees that the office has served a useful purpose.

"It was one of the most difficult decisions of the budget proposal we faced. We agonized over it for weeks," he said.

Rep. Philip Krinkie (R-Shoreview), the committee chair, questioned Ventura's bonding proposal of more than \$4 million to restore the governor's residence.

Because the governor and his family do not reside at the residence fulltime, Krinkie said perhaps the administration should reconsider the bonding proposal, as well as consider cuts in staff at the residence.

The administration is proposing to eliminate a chef position at the residence and Bosacker said the governor would be open to discussing the overall purpose of the residence.

As the committee looks at the proposed reductions to state agencies and possible tax increases, Krinkie said it will be important to keep in mind whether the agency is

proposing to actually lay off employees or whether they are proposing not to fill vacant positions.

"It is a difficult time and a difficult situation we are in. I don't know a business that hasn't reduced its employment complement," he said, adding that his own company laid off two employees before Christmas. "(State employees) are not losing jobs. All we are doing is not hiring as quickly as we were before."

Joint cooperation

Members of the House-Senate Task Force on Joint Rules completed their work in January, and the group recommended a number of reforms in an effort to eliminate some issues that can inhibit cooperation between the bodies.

The goal of the task force, established last session, was to determine ways the rules could be changed to open the lawmaking process, engage the public, and generally encourage better policy making.

Recommendations of the task force were submitted to the rules committees in the House and Senate for review. Both committees and the House and Senate would have to approve the changes before they could take effect. The Legislature did not pass permanent joint rules in 2001.

Of particular importance in task force discussions were recommendations governing joint organization between the House and Senate, conference committees, and settling

budget matters including the major omnibus appropriations bills.

To address those concerns, the task force recommended a joint organizing committee be established each biennium to determine which standing committees in the House and Senate should meet at the same time, what topics they should discuss, and which budgetary accounts should be assigned to which omnibus bill. Once leaders determine what those assignments would be, those bills could not be combined, according to the proposed changes.

Existing practice assigns omnibus bills by committee. However, the committee structures in the House and the Senate are significantly different, leading to logistical difficulties at the end of the session when bills must be assigned to conference committees.

The proposed joint organizing committee would also help establish committee deadlines for when legislative business must be completed.

Along the same lines, the task force recommended that net expenditures, budget reserves and cash flow accounts, and each omnibus appropriation bill target be established by concurrent resolution of the House and Senate. The recommendation also would restrict the Legislature's ability to do other work if those limits were not set early enough in the session to complete work on time.

Conference committees would continue to be open to the public, but rules would govern

PEACE PROJECT



PHOTO BY TOM OLMSCHIED

Elly Huston, right, gets a hug from Breanna Austed Jan. 29 after finding the faces they created for the "Remember the Children" display in the north corridor of the Capitol. The pair is part of a group of 16 third-grade students that participated in a Peace Project at Schumann Elementary School in Orono. The project involved the creative efforts of a handful of professional artists and metro area children from churches, synagogues, and schools who painted 1,500 portraits of children's faces to represent a portion of the homeless children in our community.

that the committees could not meet between 7 p.m. and 7 a.m. unless two-thirds of the members voted to extend the meeting. Then the latest a conference committee could meet would be 1 a.m., under the proposal.

Members expressed concern regarding the short notice of conference committee meetings and the late hours they are often held at the end of the legislative session.

In addition, bills could receive further amendment and discussion before going to conference committee, under the plan, and reports from conference committees would need to be presented at least 72 hours before it could be considered. Current rules allow a 12-hour lie-over for conference committee reports.

★ HEALTH

Donation clarification

Minnesota residents who have indicated they would like to donate their organs when they die should have their wishes fulfilled without interference from family members, the House Civil Law Committee decided Jan. 30.

The committee approved a bill that would clarify existing law to make sure those who designate their intention to be donors on their driver's license or state identification card actually become donors.

Rep. Phyllis Kahn (DFL-Mpls), the sponsor of HF2473, said the bill is needed because family members sometimes override the wishes of their deceased relative and refuse to allow the persons organs to be donated.

Kathy Bakkenist, chief operating officer of LifeSource, an independent nonprofit organ procurement organization that matches donors to recipients, also spoke in support of the bill.

Bakkenist said the organization currently relies on the next of kin to approve the donation.

Since organs must be taken from the body shortly after death, grieving family members have to make a decision quickly and sometimes decide not to allow the donation, she said.

"This will help to ensure an individual's wishes, as indicated on their driver's license, are granted," Bakkenist said.

According to LifeSource, there are nearly 80,000 people nationally waiting for an organ transplant, including about 2,100 in the upper Midwest region, which includes Minnesota, western Wisconsin, and North and South Dakota.

Those numbers have increased steadily over



Kathy Bakkenist, chief operating officer of LifeSource, an independent organization that matches organ donors to recipients, testifies in support of HF2473 during the Jan. 30 House Civil Law Committee meeting. The bill would make organ donor designation on a driver's license considered conclusive legal intent to donate organs.

the past 10 years and the list continues to grow while the number of donors remains fairly steady, Bakkenist said. About 16 people nationally die each day while waiting for an organ transplant, she said.

The bill would help ease that shortage. "It truly has the potential to save lives," she said.

People in Minnesota can choose to be an organ donor when applying for or renewing a driver's license or state identification card. The bill would apply to those who are already designated as donors as well as future donors.

It would also include those under age 18. Minors may request to be donors, but only with the approval of a parent or guardian.

The bill now goes to the House Health and Human Services Policy Committee.

★ HIGHER EDUCATION

Reacting to recommended cuts

Increasing tuition is not one of the top priorities for state higher education institutions that may have their funding cut. But, it could happen.

Gov. Jesse Ventura is proposing a 5 percent reduction in fiscal year 2003 to both the University of Minnesota and Minnesota State Colleges and Universities, which equals \$33.2 million for the university and \$32 million for MnSCU.

Leaders of each shared their reactions Jan. 30 before the House Higher Education Finance Committee.

"I'm asking you to weigh this very carefully," University President Mark Yudof told the committee, which will consider the testimony for a future recommendation. He said the funding cut "will hurt one heckuva lot."

He spoke about momentum the university has gained in recent years, through improving the medical school, increasing student applications by 60 percent since 1995, and a general improvement in student satisfaction rates.

"It would be a historic mistake to cut our budget to the point where our momentum stalls," he said.

Yudof noted the university has saved millions of dollars by leaving the state health plan and going out on its own, eliminated two vice-presidents and provosts and their offices, reprioritized \$113 million, and delayed any nonessential hires.

MnSCU Chancellor James McCormick and Kathy Nelson, president of Lake Superior College, said the system has also made its share of money-saving decisions.

At her college Nelson said retiring faculty and staff have not been replaced, services have been decreased or eliminated, and one program is suspended for next year, with a second being considered for such a move.

Both Nelson and McCormick noted it is getting tougher to do more with an approximate 10 percent increase in students each semester at MnSCU institutions, but no funding increase.



University of Minnesota President Mark Yudof testifies Jan. 30 before the House Capital Investment Committee about the university's bonding request.

"We need to look to hire as growth continues," Nelson said.

A statewide hiring freeze would prevent that. "We'd prefer you hold the board accountable," McCormick said. "This way we can see if it is in the best interest of each college to hire."

As for solutions, both Yudof and McCormick said their institutions would continue to look for efficiencies and could spend down reserves, or raise tuition, although many students are already seeing a double-digit increase this year.

"Our board will try to minimize the amount on students as much as possible," McCormick said. Yudof said a tuition increase is the last thing he will look at as a solution.

Renovations, new labs requested

The governor's bonding recommendations for Minnesota's higher education institutions would fund less than half of their combined total requests. As a result, those institutions presented cases for full funding for projects to the House Capital Investment Committee Jan. 30.

Gov. Jesse Ventura wants to give the University of Minnesota \$86 million of their nearly \$232 million request, and \$135 million of the Minnesota State Colleges and Universities (MnSCU) system's \$251 million request.

Despite low numbers, University President Mark Yudof sounded optimistic and thanked the committee for past support of the university.

"There is a strong and remarkable sense of momentum at the 'U' due to the Legislature and governor," he said. However, it has reached "a tipping point," he said, and is at a "very fragile" stage.

The university system has received high rankings in many national surveys, and Yudof wants to retain those honors, particularly in the area of public research.

Capital requests for the university's four campuses, he said, will turn labs into patient research, will provide up-to-date space for students to learn, study, and meet, and will be able to accommodate the increasing number of computer science students by 50 percent.

They include:

- \$80 million for asset preservation and replacement;
- \$33 million for a laboratory science building in Duluth;
- \$24 million for renovation of Nicholson Hall at the Twin Cities campus; and
- \$18.4 million for a mineral resources research center at the Twin Cities campus.

Ventura has recommended funding

\$35 million for asset preservation and replacement, \$25.5 million to match \$7.5 million in private grants for the laboratory science building at Duluth, and \$10 million for Nicholson Hall. He has also proposed funding the entire request for system-wide classroom improvements and a new student services center on the Crookston campus.

The governor has proposed funding the following MnSCU requests: \$35 million for asset preservation and replacement, \$30 million for a science building at Winona State, \$19 million for a science laboratory and auditorium at Minnesota State University, Moorhead, and \$17.4 million for a library and information access center at Metro State in St. Paul. Funds were also recommended for renovation and consolidation of the Minneapolis Community and Technical College, science renovations at Normandale Community College, and for a classroom and computer lab building at Alexandria Technical College.

Committee Chair Rep. Jim Knoblach (R-St. Cloud) has said he plans to fund more for higher education than proposed by the governor. The committee will make a final decision on funding later in the session.

Regents selection proposal

Members of a joint House-Senate task force have recommended changes to the existing process used for selecting regents to the board that governs the University of Minnesota system.

The House-Senate Task Force on Joint Rules met between October and January to recommend adjustments to the joint rules that govern meetings involving both the House and the Senate. The task force addressed many issues, including regent selection.

Members expressed concern about the existing selection process following the 2001 legislative session, where members of the House and Senate were unable to agree on a slate of candidates for the open regent positions. Instead, Gov. Jesse Ventura appointed people to fill the seats.

Existing regent selection process is as follows: a candidate advisory council reviews applicants and recommends a slate to the Legislature. Then a joint meeting of the education committees in the House and the Senate make recommendations to the full Legislature, which will approve the final slate of candidates. The Legislature is not limited to the recommended candidates at any point in the process.

One point of controversy in 2001 involved the fact that existing rules do not specifically define who is a member of the joint

education committee. Last year, members of the higher education finance committees in each body expressed an interest in the process and suggested they be allowed to vote.

The task force recommended that the education committee be specifically defined. It would include 24 members: the chair and ranking minority member of the education policy and higher education committees in the House and the Senate and eight other members from those committees, split equally between the majority and minority caucuses.

The recommendations also suggest regents should be selected by a joint convention of the Legislature by April 7, rather than May 7 of each odd-numbered year.

Task force recommendations were submitted to the rules committees in both the House and Senate for consideration. The recommendations could not be adopted until they receive the approval of those committees and the full House and Senate.

★ INDUSTRY

Biodiesel incentives

After its last-minute removal from the 2001 agriculture omnibus bill, biodiesel incentive legislation is mounting a comeback.

"It is a fuel with a great deal of promise," said Rep. Dan McElroy (R-Burnsville), the sponsor of HF2574. McElroy presented the bill Jan. 30 to the House Regulated Industries Committee.

Biodiesel is a blend of traditional diesel fuel and biodegradable combustible liquid fuel made of organic oils. Soybeans provide the biological component in 90 percent of biodiesel, according to the National Biodiesel Board.

Under HF2574, the definition of renewable energy would be expanded to include biodiesel fuel for the purposes of the Renewable and High-Efficiency Rate Options Program.

Biodiesel fuel would also qualify under renewable energy objectives established in the 2001 Legislative session, which would require electric utilities to make a good faith effort toward having at least 10 percent of the electricity they provide come from these types of energy.

Lastly, the bill would add an incentive for qualified biodiesel generation facilities to be eligible for a 1.5-cent per kilowatt-hour subsidy.

Rep. Phyllis Kahn (DFL-Mpls) suggested that before expanding the definition of renewable energy the Legislature should first try the program for one year.

However, McElroy said, proponents of

biodiesel no longer consider it experimental.

In 2001, legislation would have required that by 2002 all state-owned and operated diesel vehicles use a biodiesel blend and by 2003 all diesel fuel sold in Minnesota contain at least 2 percent biological material by volume.

Opponents of the legislation maintain that the mechanics of biodiesel use in combustion engines has been insufficiently tested. The transportation industry questioned a bill they said would ultimately raise fuel costs for consumers.

Not all these issues were addressed during the Jan. 30 committee meeting, but the bill was approved, and will now move to the House Environment and Natural Resources Policy Committee, one of many committees it may have to visit before it goes before the full House.

Health care options

Employers would have greater flexibility in what they offer in their health care plans to employees, under a measure approved by the House Commerce, Jobs, and Economic Development Policy Committee Jan. 30. The bill now goes to the House floor.

Rep. Fran Bradley (R-Rochester), the sponsor of HF1580, said a version of the bill that passed the committee last session was a broader attempt to address health care coverage issues. He offered a successful amendment limiting the scope of the bill to only raise the limit of the annual out-of-pocket enrollee cost sharing expenses allowed under current law.

Health maintenance organization contracts are now limited to annual co-payment and deductible amounts of \$3,000 per individual and \$5,000 per family. The bill would permit HMO contracts to have annual deductibles of up to \$5,000 per individual and \$10,000 per family. The bill would also allow contracts to have co-payments of up to 50 percent of the total amount paid to the provider.

The annual deductible amount does not apply to preventative health services.

"This is one of the many efforts to try to find ways to control the rapidly escalating costs of health care," Bradley said. "Many employers are reaching the breaking point on whether or not they can offer insurance."

Michael Scandrett from the Minnesota Council of Health Plans said that allowing employers more options in their health care plans would allow more employers to continue to offer plans to their employees.

Bradley said that reform to address escalating health care costs is most effective when consumers are "connected with the costs."

Rep. Karen Clark (DFL-Mpls) said she was "astounded" that the committee was considering a bill where consumers may end up paying "five times more than they do now. It's ridiculous to have that kind of huge increase," she said.

LAW



Judiciary finance cuts

Members of the House Judiciary Finance Committee met Jan. 22 to review Gov. Jesse Ventura's proposed supplemental budget recommendations for 2002. However, given that the state is facing a nearly \$2 billion projected shortfall at the end of the 2002-03 biennium, committee members were reviewing the department cuts the governor recommends to balance the budget.

According to the recommendations, criminal justice funding would be adjusted by \$35 million through fiscal year 2003, which ends June 30 of that year.

Criminal justice funding includes the Department of Corrections, the state court system, portions of the Department of Public Safety, as well as other smaller state agencies.

Officials testified that the governor's recommendations would not negatively affect the state's smaller agencies.

Many of the adjustments involve shifting money from special revenue funds to the general fund to offset other spending. For example, the governor recommends transferring carry-forward dollars from the auto theft prevention fund to the general fund. In addition, he proposes capping expenditures for the theft prevention fund at \$1.7 million a year and transferring the remaining approximately \$1.3 million to the general fund.

Other such transfers would affect the law enforcement training grants, the criminal justice special projects account surcharge, and portions of the DWI reinstatement fee a convicted drunken driver spends to have his or her license reinstated.

Ventura recommends cutting nearly \$9.5 million from the community services division of the Department of Corrections, amounting to reduced juvenile residential placement grants, reduced funding through the community corrections act, and elimination of several alternative sentencing and transitional grant programs.

The Department of Public Safety would primarily reduce the grants it allocates in certain programs, such as violence prevention, gang strike force, and other drug policy and prevention grant programs.

For many departments, Ventura simply recommends cutting 5 percent from the budget.

The committee will review the recommendations in the coming weeks and compile a bill with its own spending priorities.

LOCAL GOVERNMENT



Annexation options

Officials from Minnesota cities and townships agree that 95 percent of annexation proceedings are amicable and occur with cooperation from all sides.

It's the other 5 percent that have lawmakers looking at current laws to determine if the system is fair or if improvements should be made.

The House Local Government and Metropolitan Affairs Committee heard differing accounts Nov. 29 of how the current process is working.

Rep. Jerry Dempsey (R-Red Wing), the committee chair, said the hearing was the fourth held during the interim, and that the issue would be further discussed once the 2002 Legislature convenes.

Although the committee did not discuss specific proposals, Rep. Larry Howes (R-Walker) has introduced a bill (HF869) that would allow the lesser of 35 percent or 100 affected property owners to petition for an election to determine whether an annexation can occur.

Howes said the issue should be about people's right to have a voice in the decision, not solely about the fiscal matters often involved.

Don Waller, a Wyoming Township supervisor, said annexations can often be a "land grab" by cities wishing to expand their tax base.

"By allowing citizens the right to vote that's when debate happens. Nothing gets talked about until it gets on the ballot," Waller said.

In 1959 the Minnesota Municipal Board was established to hear and decide local incorporation and boundary adjustment issues. In 1999 Minnesota Planning took over those responsibilities.

Some contested proceedings have been settled in mediation, but others go through a legal process involving an administrative law judge, according to testimony at the hearing.

Kasson Mayor Duane Burton said giving people the right to vote in the annexation process would result in more divisiveness between cities and townships. He said the current process encourages local officials to work cooperatively and proactively on planning issues.

Burton said his city meets monthly with

officials from neighboring communities on "how the community should take shape." The process of working together has served the region well, he said.

★ SAFETY

Anti-terrorism measure heard

As the Legislature gets underway for the first time since Sept. 11, one of the biggest issues facing lawmakers is how to prevent and respond to possible terrorist attacks in Minnesota.

Several House committees have heard testimony on HF2622, which is based on similar federal legislation dealing with anti-terrorism issues. The bill, sponsored by Rep. Rich Stanek (R-Maple Grove), defines terrorism and attempts to improve measures set in place to prevent and recover from possible terrorist acts.

The bill would make it easier for law enforcement to obtain permits for roving wiretaps and would allow them easier access to suspect's voicemail, e-mail, and other stored communication.

It would also make it illegal to trespass on public works facilities, allow public meetings to be closed when security matters are discussed, create a biological agents registry with the state, and require background checks for drivers transporting hazardous material.



Al Bataglia of the St. Paul Fire Department's Hazardous Material Unit testifies before the House Crime Prevention Committee Jan. 30 about a proposed House anti-terrorism package.

Colleges and other higher education institutions would also be required to report any known violations of student visas to the state.

Commissioner of Public Safety Charlie Weaver said the bill is similar to Gov. Jesse Ventura's proposal.

He explained some of the differences between the bill and the governor's proposal before the House Crime Prevention Committee on Jan. 30.

The bill would close a loophole in the law that allows visitors to receive a Minnesota driver's license that expires after their visa has expired. The governor's proposal would also make it harder for people from other states to acquire a Minnesota license.

Weaver said the state has worked to balance public safety and personal freedoms in the fight against terrorism.

"We want to be smart, we want to do what's necessary, but we don't want to trample over individual freedom in the name of public safety," he said.

The bill would also set stiffer penalties for hoaxes and terroristic threats, and it would designate money for training and equipment for law enforcement agencies.

Airbag safety

Minnesota drivers could be more assured their vehicles are equipped with airbags, under a measure heard by the House Commerce, Jobs, and Economic Development Policy Committee Jan. 30.

Rep. Dan Larson (DFL-Bloomington) is sponsoring the bill that has yet to be formally introduced. His proposal would require that when a motor vehicle is repaired following an accident where the airbag has deployed, the person performing the repair must repair or replace the airbag.

Alyssa Schlender, representing the Minnesota Auto Dealers Association, said there are three ways to determine whether a car actually does have an airbag: a visual inspection, checking the light on the dashboard that is supposed to illuminate if there is a problem with the airbag, and a hand-held computer device plugged into the cigarette lighter that determines if the airbag is there.

"None of these systems are fail proof," Schlender said. "Consumers are thinking they're buying cars with airbags and you only find out when it's too late."

The bill provides an exemption for cars that have an actual cash value of less than \$4,000.

Rep. Chris Gerlach (R-Apple Valley) said the \$4,000 number seemed arbitrary and that he was concerned that requiring additional

repair costs would cause more people to junk their cars.

He said the problem might be better addressed by the industry to make it easier to detect when an airbag has been tampered with.

"I appreciate the intentions but often times we pass laws that have unintended consequences," he said.

Larson said that when the bill was drafted he realized the \$4,000 exemption figure might be problematic, but that he was attempting to address the concern of requiring people to pay additional costs on older, lesser valued cars.

Rep. Greg Davids (R-Preston), the committee chair, said the committee would likely take up the bill again at a later hearing once it has been formally introduced.

★ TAXES

'Big Fix' questioned

Members of the House Taxes Committee expressed concern Jan. 16 about some of Gov. Jesse Ventura's proposed tax increases to address the state's \$1.95 billion budget deficit.

The governor has proposed around \$397 million in tax changes for the current biennium and \$1.3 billion in 2004-2005.

Department of Revenue Commissioner Matt Smith said among the proposals is a 5-cent per gallon gas tax increase the governor hopes would become effective March 1. The tax would be indexed to the consumer price index effective June 1, 2003.

Rep. Ron Abrams (R-Minnetonka), the committee chair, said that when the Legislature agreed to Ventura's license tab fee reduction two years ago, conference committee members expressed concerns about leaving a hole in transportation funding.

"The worst fears of a number of the conferees is coming to fruition," Abrams said.

"The governor believes the gas tax is a more appropriate user fee than license tabs are," Smith said.

The administration is also proposing to reduce aid to local governments by \$146 million in the 2002-2003 biennium and \$323 million in 2004-2005.

Smith said local units of government whose 2002 levy and aid growth is more than 25 percent above the three-year average local household growth and inflation would receive the highest aid reductions.

Rep. Dan Dorman (R-Albert Lea) said the reductions might be viewed as a spending cut by some, but will actually result in a tax increase, as local property taxes might need to be raised to make up for lost revenue.

Dorman also criticized the administration's

proposal to charge schools sales tax on purchases. He said the proposal was a "shell game" to prevent a cut in the per-pupil formula.

Smith said Ventura proposed eliminating the sales tax on purchases by local units of government last year, but it failed to gain support in the Legislature. He said expanding the sales tax to school purchases would make the law more consistent.

He added that the proposed tax would also give schools greater flexibility than a formula cut because they have some control over when they make purchases.

Rep. Joe Mullery (DFL-Mpls) was critical of a proposed sales tax expansion to legal services purchased by individuals. The tax would not be applied to business legal transactions.

Mullery said most working people only seek legal services in adverse times and thus the tax would hit them particularly hard.

"Most people would rather go to a dentist without novocaine than to an attorney," Mullery said.

Local taxing options

Equity is in the eye of the beholder when it comes to tax issues. Such is the case in St. Cloud where the House Taxes Committee traveled Dec. 13 to hear city officials describe the need for a local option sales tax to pay for up to \$40 million in projects.

St. Cloud Mayor John Ellenbecker said a local sales tax, supported by surrounding cities, would help pay for projects that currently fall solely on St. Cloud property taxpayers but are regional in scope.

In the 2000 general election, city voters approved a sales tax to fund airport, library, and road improvements along with funding for park and trail needs. State law requires the Legislature to authorize imposition of local sales taxes.

Rep. Jim Knoblach (R-St. Cloud) introduced HF1806 for such authorization last session. It awaits action by the committee.

Rep. Ron Abrams (R-Minnetonka), the committee chair, said that during the past few sessions, the Legislature has moved further away from authorizing any more local option sales taxes.

Currently there are about a dozen cities in the state that have local sales taxes including Minneapolis, St. Paul, Duluth, and Rochester.

"There has to be somebody who is the last one," Abrams said. "There has to be a time when you say we're not going to do these anymore."

He said there are several reasons why lawmakers are trying to get to one sales tax rate statewide. One is a national movement toward taxing purchases made over the Internet that would necessitate a uniform rate throughout the state.

Abrams said it is also an equity issue as he pointed to a recently approved referendum by Minneapolis voters to fund a new downtown library via a property tax increase.

Rep. Dan McElroy (R-Burnsville) said paying for the projects through the imposition of a sales tax rather than property taxes was a way "to levy taxes on people who didn't get to vote" on the issue.

McElroy said the city of Burnsville, which

is similar in population to St. Cloud, receives far less local government aid from the state, and its leaders would "get laughed out of town" if they proposed a local option sales tax.

George Hontos, a St. Cloud city councilmember, said it was an "injustice" to local taxpayers that an issue they approved at an election is being met with resistance.

"This is a unique area," Hontos said. "Let us manage our government as we see fit."

What's on the Web

Session Daily news updates available on the Web

Get the latest news on legislative happenings daily on your desktop.

Each day during the legislative session, news items regarding House actions will be posted on the House Web site through the Session Daily page.

Session Daily is the online companion to *Session Weekly*, a publication of the nonpartisan House Public Information Office.

On Session Daily, you will find short, easy-to-understand snapshots of House actions from a particular day — from committees, the House floor, or the governor's office.

The page also links to bills, reports, and other areas of state government enabling users to connect with the information they need.

These items will be updated by 8 a.m. Monday through Friday so you can make the site your first stop of the day. Find Session Daily at <http://www.house.mn/hinfo/sdaily/sdaily.htm>.

All news items are arranged by topic area, making it easier to find information about a particular subject of interest.

Items are also archived by date.

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NORTHSTAR RIDE



PHOTO BY BECKY EKSTAM

Approximately 60 legislators and local community members participated in a Jan. 28 train ride that organizers hope will garner support for the proposed Northstar Corridor commuter rail line from downtown Minneapolis to St. Cloud.

Minnesota House of Representatives 2002 Standing Committee Schedule

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:15 to 10 a.m.	Jobs & Economic Development Finance 200 Governmental Operations & Veterans Affairs Policy B Health & Human Services 10 Transportation Finance 5	Education Policy Health & Human Services Policy 200 Judiciary Finance 10 Transportation Policy B 5	Jobs & Economic Development Finance 200 Governmental Operations & Veterans Affairs Policy B Health & Human Services 10 Transportation Finance 5	Education Policy Health & Human Services Policy 200 Judiciary Finance 10 Transportation Policy B 5	Jobs & Economic Development Finance 200 Governmental Operations & Veterans Affairs Policy/ B State Government Finance 5 Health & Human Services Finance 10
10:15 a.m. to 12 noon	Civil Law Environment & Natural Resources Finance B Higher Education Finance 10 K-12 Education Finance 300S Taxes 5 200	Crime Prevention Environment & Natural Resources Policy B State Government Finance 10 Taxes 300N 200	Civil Law Environment & Natural Resources Finance B Higher Education Finance 10 K-12 Education Finance 300S Taxes 5 200	Crime Prevention Environment & Natural Resources Policy B State Government Finance 10 Taxes 300N 200	Environment & Natural Resources Finance B Higher Education Finance 10 K-12 Education Finance 300S Taxes 5 200
12:30 to 2:15 p.m.	Family & Early Childhood Education Finance 5 Local Government & Metropolitan Affairs 200 Regulated Industries 10	Agriculture & Rural Development Finance 10 Capital Investment 5 Commerce, Jobs & Economic Development 200	Agriculture Policy Family & Early Childhood Education Finance 10 Local Government & Metropolitan Affairs 5 Commerce, Jobs & Economic Development 200 B	Agriculture & Rural Development Finance 10 Capital Investment 5 Commerce, Jobs & Economic Development 200	
3:00 p.m.	HOUSE IN SESSION			HOUSE IN SESSION	

Ways & Means, Rules & Legislative Administration, Redistricting and Ethics meet at the call of the chair.

1/30/02

B - Basement Hearing Room
All rooms in State Office Building

Weighing in

Gov. Ventura recommends \$746 million in bonding, but House members say plan lacks money for roads and higher education

By THERESA STAHL

Gov. Jesse Ventura has recommended spending \$746 million for new buildings and repairs to state facilities, which he said focuses on projects with significant state-wide impact.

Members of the House Capital Investment Committee have said the governor's proposal comes up short in a number of areas, including money for higher education and roads and bridges. But spending bills are in their preliminary stages, giving time for committee members to decide which projects to ultimately fund.

The majority of time in even-numbered years is dedicated toward a bonding bill, which authorizes the state to borrow funds for acquiring or improving public land and buildings.

State agencies this year put forth more than \$2 billion worth of requests. Leaving local projects out of his proposal, Ventura said he included those that would protect the health and safety of state residents and employees, those that would take advantage of federal matching funds, and those that are consistent with budgeting goals and smart growth principles.

Here are a few highlights:

- \$120 million to match federal funds for the Northstar Corridor rail line between Minneapolis and St. Cloud;
- \$86 million to the University of Minnesota for science, technology, and other instructional facilities on its campuses;
- \$85 million for a new laboratory for the Health and Agriculture departments;
- \$50 million for a Twin Cities metropolitan area busway; and
- \$40 million for state park improvements.

The recommended projects are equally divided between the Twin Cities and Greater Minnesota, and they preserve the investments the state has already made, Ventura said in his announcement Jan. 14.

Rep. Jim Knoblach (R-St. Cloud), chair of the House Capital Investment Committee, said House Republicans haven't decided which projects to fund and won't make any final decisions until early March.

During the interim, members of the

committee toured the state, visiting more than 100 sites of projects that were proposed for the bonding bill. Knoblach said he's sure he wants to support a few projects, one of which is a proposed anti-terrorism center at Camp Ripley. This project was not included in the summary of projects recommended by the governor. The final deadline for consideration was in October, just a few weeks after the Sept. 11 attacks.

Knoblach also said he wants to spend more than the governor has proposed for higher education. Besides \$86 million for the University of Minnesota, Ventura has recommended \$135 million to the Minnesota State Colleges and Universities (MnSCU) system.

The University of Minnesota submitted more than \$232 million in project requests for 2002. MnSCU project requests totaled nearly \$251 million.

Rep. Henry Kalis (DFL-Wells), DFL lead on the committee, said state debt has risen an astronomical amount under Ventura's administration. The House DFL caucus hasn't yet determined what to fund, Kalis said, but he doesn't want to contribute much to the debt.

"Our main objective is to get this budget balanced," he said, and added that, "We'd like to see something that would spur the economy."

Senate Majority Leader Roger Moe (DFL-Erskine) has said he would like to pass a

smaller bonding bill early in the session to spur economic development, then come back and pass a larger bill later. Kalis said Moe's idea "makes sense" because the bonding bill is usually last to pass, and a bill that came out quickly could get some summer construction projects underway sooner.

However, Knoblach doesn't believe that move would make a difference, because leaders hope to wrap the session up by Easter.

Both Kalis and Knoblach expressed the need to fund roads and road maintenance, neither of which is included in the governor's proposal. Ventura designated \$30 million for the repair or replacement of local bridges. Knoblach said he wants to fund the full \$48 million requested by the Department of Transportation for bridge replacement and rehabilitation.

The governor's recommendation of \$120 million for a commuter rail line between St. Cloud and Minneapolis would be matched by \$139 million in federal funds and \$27 million locally. Knoblach said he has not decided whether he supports this initiative; Kalis said he's not against Ventura's light rail proposals, but wants to first see a "balanced system of transportation."

In recent years the bonding bill has seen some historical milestones. Two years ago the Legislature approved \$684 million in capital spending. That year Ventura had line-item vetoed eight projects from the bill, but the Legislature overrode four of those vetoes.


Four years ago, in 1998, the largest capital investment bill in Minnesota history was passed. Also significant was that more than one-half of the \$999 million law was paid for with cash from the general fund. 



PHOTO BY ANDREW VON BANK

The Fergus Falls Regional Treatment Center requested \$3 million in the 2002 bonding bill for programing facility upgrades. The project was not recommended for funding by Gov. Ventura.

A leaner budget

Gov. Ventura proposes tax increases and spending cuts to eliminate projected deficit, House counters with plan of its own

By MICHELLE KIBIGER

More than 10 years have passed since state officials anticipated a budget shortfall in Minnesota. Department of Finance officials announced last December that the state could anticipate a deficit of nearly \$2 billion when the biennium closes its books in June 2003.

Officials are also projecting a \$1.2 billion deficit for the 2004-05 biennium.

Since that announcement, Gov. Jesse Ventura and legislative leaders have been trying to establish a method for balancing the budget — by either cutting spending, raising revenue, or a combination of the two.

And though the different players disagree on the direction the state should take, all sides have been challenged to act as quickly as is prudent to protect the state from long-term ramifications.

From surplus to deficit

After many years of state finance officials predicting not only surpluses, but significant surpluses, news of a budget deficit may have come as some surprise to Minnesotans.

However, two important events share in the blame for Minnesota's downturn: a national economic recession and the Sept. 11 terrorist attacks.

In announcing the projected deficit last December, Finance Commissioner Pam Wheelock clearly stated that the actions of the 2001 Legislature had no significant impact on the budget problem.

But the recession, which economists said officially began in March 2001, compounded by the unanticipated attack on the U.S. economy in September, provided a bleak outlook for Minnesota and nearly all of the other 50 states.

State of the State

Ventura hinted at the solutions he would propose in his State of the State Address Jan. 3.

Considered the primary policy speech to set the tone for the year, the State of the State is usually a preview of things to come and is delivered to the Legislature in the State Capitol.

However, this year, the governor chose to deliver the speech from his official residence and have the speech broadcast to the public.

That was his designated audience this year.

Though the governor avoided specifics, he emphasized that nothing would be off limits for potential cuts. He also said that revenue lost due to the recession cannot be recovered and delaying action may exacerbate the problem.

Ventura urged the Legislature to act as quickly as possible to solve the budget shortfall problem. He challenged them to act during the first week of the legislative session, though he was not specific about whether he expected them to pass a bill or propose one. However, legislative leaders were quick to point out that acting fast may not necessarily be the most prudent course.

"I don't know what act means," said House Speaker Steve Sviggum (R-Kenyon) after the speech. "Passing a bill in a week would be very, very difficult."

House Minority Leader Tom Pugh (DFL-South St. Paul) said he was particularly concerned about potential education cuts, given reports of districts struggling around the state.

Specific fixes

It wasn't until Ventura announced his supplemental budget recommendations a week later that his plans to solve the shortfall became clear: across-the-board spending cuts coupled with some tax increases.

In formulating his plan, Ventura and his commissioners were focusing on eliminating the deficit without harming the state's credit rating and without creating a bigger funding problem down the road, he said.

Among the solutions for the 2002-03 biennium are the following:

- \$700 million in spending cuts, including at least 5 percent cuts to state agency operations;
- \$667 million from budget reserves and the local government aid account;
- shifting \$245 million in general fund dollars for transportation, allocated in 2000 and



A sign outside the Secretary of State's Office tells of the 21 permanent and temporary staff.

- 2001, to trunk highway bonds;
- raising \$199 million in 2002-03 through a 5 cent gas tax increase (existing taxes total 20 cents per gallon);
- increasing the cigarette tax from 48 to 77 cents per pack and increasing other tobacco product taxes proportionally;
- changing corporate and individual income taxes; and
- expanding the sales tax to cover motor vehicle repairs, individual legal services, newspapers and magazines, meals at state institutions (including colleges and prisons), and telemarketing calls.

For 2004-05 the spending cuts and tax changes proposed by the governor would cover the projected \$2.5 billion deficit, according to the presentation.

Ventura emphasized in the Jan. 10 presentation that he would use his executive powers to cut the budget if the Legislature did not act quickly. This time he gave a deadline of early February.

"If you do not act on the entire package," he said. "I will use my powers to affect what I can."

Historical similarities

This is not the first time the state has faced a deficit. Nor is it the first time a governor has discussed using his power to cut legislative allocations.

Since 1980, state finance officials have

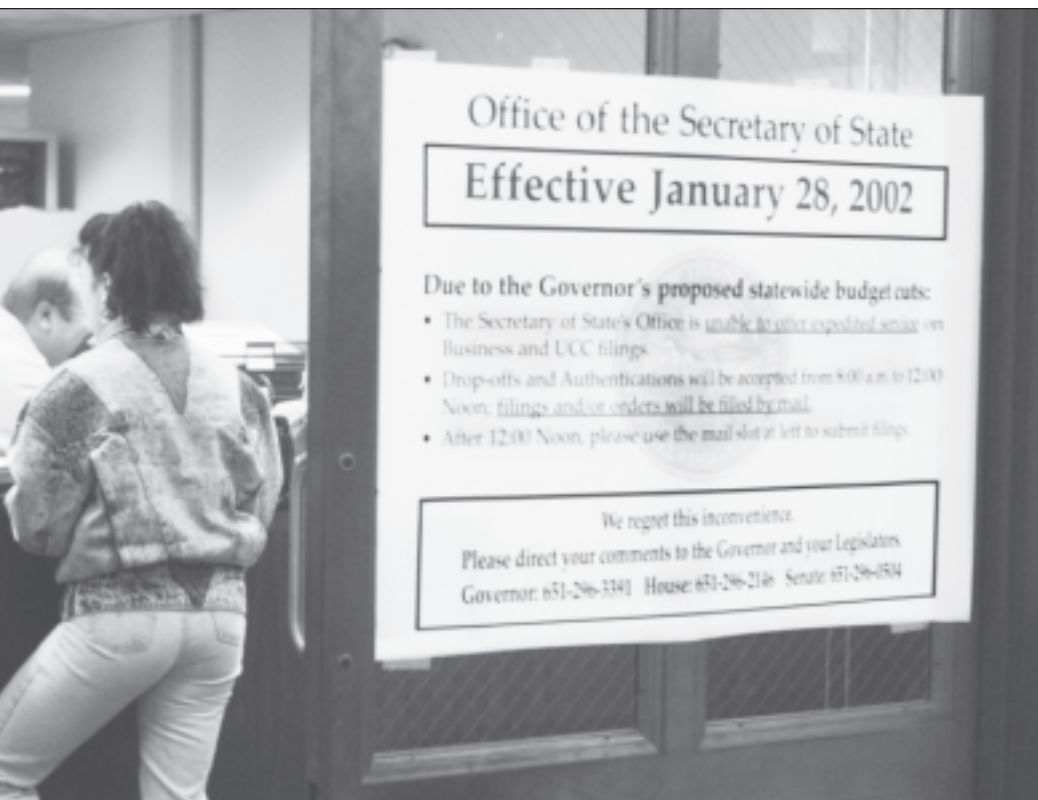


PHOTO BY TOM OLMSCHIED

Reduced hours at the office due to the nearly \$2 billion projected state budget shortfall. The office has laid off

anticipated that expenditures would exceed revenues in five biennia. During the early 1990s, Gov. Arne Carlson faced slight projected deficits, but short-term tax increases and spending cuts alleviated the problem.

Gov. Rudy Perpich was faced with a significant deficit in 1986 and after a long and contentious legislative battle, he cut the budget by \$110 million in the spring of the year.

In the early 1980s, Gov. Al Quie faced an even more significant deficit of more than 15 percent of the state budget. He cut about \$195 million in late 1980 to help eliminate the problem.

Preliminary 2002 plans

While legislative leaders recognize the importance of handling the problem quickly, they are cautious in their approaches and have differing priorities.

Historically, the Legislature has been slow to bind future Legislatures by the decisions they make now. This is particularly a concern for many representatives and senators as all seats are up for re-election in November.

Leaders are also hesitant to raise taxes — even though the proposed taxes focus on the kinds of taxes that people technically have a choice in paying.

“We are ready in the House to show leadership and commit that this budget problem will be solved without raising taxes,” said Speaker

Sviggum.

The governor has said property tax changes enacted in 2001 will not be affected by his plan. However, some leaders are concerned that changes will indirectly increase property taxes by reducing local government aid.

While Ventura’s plan also does not directly affect the state’s general K-12 education formula, members are concerned about the proposed cuts to higher education and other unintended educational consequences.

Sviggum also said the House Republican plan will not affect education funding or nursing homes.

Said Ventura, “If the House Republicans think they can do this without raising taxes, and not touching K-12 education, and not touching nursing homes, and not touching local aid to cities, I welcome their plan. Let’s see it.”

Minority Leader Pugh also emphasized that particularly higher education can be seen as an economic development tool that is important at a time of recession.

The next step

Committees in the House have been reviewing the governor’s supplemental budget since Jan. 15. The process will continue as members debate the merits of the plan and suggest proposals of their own.

Typically in the even-numbered year, the Legislature reviews the supplemental budget

and formulates omnibus finance bills, just like during the odd-numbered, budget year. The bills are usually smaller.

This year, many of those bills will focus on budget cuts. However, the governor also has suggestions regarding anti-terrorism and preparedness plans. The House is also discussing those items, many of which may require additional spending.

Committees must finish their work on finance bills by March 8. 🐼

Writer David Maeda contributed to this report.

Executive branch powers to cut the budget

Gov. Jesse Ventura has reminded legislative leaders over the past few weeks that he will use his executive powers to balance the budget if the House and Senate don’t act quickly to solve the deficit.

State law does allow the governor some freedom to cut allocations when faced with a deficit.

The state constitution prohibits the state from running a deficit at the end of a fiscal biennium. In Minnesota, biennia last from July 1 of the odd-numbered year through June 30 of the next odd-numbered year. For example, the state is currently in the middle of the 2002-03 biennium; it began July 1, 2001.

The Department of Finance estimates that the state will have a deficit of \$1.2 billion at the end of fiscal year 2003, which ends June 30, 2003.

According to state law, if the commissioner of finance determines there will be a deficit, he or she first uses funds in the budget reserve account to balance the budget. If that amount is not enough, as is true in the current situation, the next step is to reduce appropriations.

Such actions are called “unallotments.” Basically that means that the state will reduce unexpended allotments for appropriations made by the Legislature in 2001. If the money hasn’t yet been spent, it’s still available to help reduce the deficit.

That power has only been exercised twice since 1980 — once by Gov. Al Quie that fall and once by Gov. Rudy Perpich in the spring of 1986.

During the past 20 years, governors, including Ventura, faced with deficits have advised state agencies to begin trimming their budget in anticipation of later cuts.

In addition, Ventura has said he will try to avoid short-term borrowing to alleviate cash flow problems that may occur toward the end of the current biennium. Such borrowing is often accompanied by high interest rates because the state would be paying for operating costs on credit. Finance Commissioner Pam Wheelock has suggested that such practices could harm the state’s good, AAA bond rating.

(M. KIBIGER)

Going for two

Stadium task force recommends public financing for two new professional sports facilities that also benefits the U of M

By Mike Cook

Baseball under the stars and major college football in the autumn air are two possibilities following the Jan. 28 recommendation of a legislative stadium task force.

The 18-member Tripartisan Task Force on Stadium Issues advocated that the 2002 Legislature and Gov. Jesse Ventura adopt legislation providing for public financing of a baseball park for the Minnesota Twins and a football stadium to be shared by the Minnesota Vikings and University of Minnesota. The recommendations do not specify a site for the stadiums.

The House, Senate, and governor's office each appointed six people to the task force. The governor's appointees included interested Minnesota residents and state agency officials.

Despite members of the task force expressing displeasure with the "pressure tactics and crisis atmosphere caused by Major League Baseball," the recommendation says, "Action in 2002 is important for the Twins and the future of professional baseball in Minnesota because there is a real possibility that the Twins could be eliminated."

The recommendation calls for state participation in a baseball stadium to be contingent on the reform of baseball's economic structure, including some form of payroll equalization between teams.

As for the Vikings, whose Metrodome lease runs until 2011, the recommendation urges action now as a National Football League program for aiding in new stadium construction expires this year. Additionally, new revenues for the university would help its cash-short athletics department.

"The task force said each should have equal priority," said Rep. Kevin Goodno (R-Moorhead), co-chair of the task force.

House Speaker Steve Sviggum (R-Kenyon) said the stadiums issue is not more important than balancing the budget or transportation funding, but he expects a vote this session.

The task force recommended that financing options for a stadium be pursued in the following order:

- All private funding;



PHOTOS BY TOM OLMSCHIED

Minneapolis Mayor R.T. Rybak sits in front of a map illustrating the location for a new baseball park for the Minnesota Twins in Minneapolis during the city's Nov. 29 presentation to the Tripartisan Task Force on Stadium Issues.

- A combined investment of team owners and the local government where the facility would be built; and
- Investment of the state and team owners or other private sources.

In the latter, the state's contribution could be in the form of an additional sports memorabilia tax, income tax paid by visiting players reallocated from the general fund to a stadium, an additional tax on tickets and stadium food and beverages, an added car rental tax in the Twin Cities metropolitan area, and gaming revenue. The latter could be a state lottery game, casino, slots at Canterbury Park, or games of chance in bars, according to the recommendation.

"We put food on the table so to speak, and now the parties can decide what they want on their plate," Goodno said.

Rep. Tom Osthoff (DFL-St. Paul) said the recommendation "isn't perfect by any stretch," but sums up what was done. "I came into this meeting not thinking I'd ever vote for two stadiums in one year, but this has given me some options to think about. It's doable. (Whether) we have the votes is another day's fight."

Conversely, Rep. Mary Liz Holberg (R-Lakeville) was the lone task force member to vote against the recommendation. She said the proposed fees might not raise enough revenue.

"I'm concerned that the public believes we can pay for two stadiums with user fees, and I'm not sure we can," Holberg said.

Twins President Jerry Bell said at a Nov. 29 meeting of the task force that his team needs a new ballpark to bring its revenue in line with the rest of the league. He said the Twins have \$32 million in local revenue, second worst in baseball. The average is \$95 million.

"A new stadium would likely provide the \$63 million disparity," Bell said. "Clearly the problem cannot be solved in the Metrodome even with a winning team." He said a new stadium would likely eliminate contraction talk in Minnesota.

Team officials described the Vikings as "near a financial crisis." On Dec. 13 Mike Kelly, the team's executive vice-president, said the average combined stadium and local revenue for teams in the league is \$123 million. The Vikings are at \$108 million.

He said parking and club/stadium revenue is now last in the league, while concession revenue — the team gets 10 percent — and suite revenue are 25th among the 31 teams. It is expected to drop further in the next three years. The Vikings have \$35 million less in facility revenue than the average of the teams with the five newest stadiums.

The Vikings proposed a \$500 million



Former St. Paul Mayor Norm Coleman, *right*, listens as current Mayor Randy Kelly presents his city's proposal for a new baseball park for the Minnesota Twins during a Nov. 29 hearing of the Tripartisan Task Force on Stadium Issues.

retractable-roof facility at the university's Minneapolis campus that could be shared with the Gophers.

University officials reiterated the school couldn't participate in the construction and operation of a new stadium, other than the site east of Mariucci Arena.

"Our academic priorities come first," said Sandra Gardebring, vice-president of university relations.

Men's Athletic Director Tom Moe said "moving the football team to the dome (in 1982) was one of the most significant mistakes the university has made." He said football revenues are limited in the dome.

The task force recommendation does not include the possibility of a renovated Metrodome for any of the three tenants, although Gov. Ventura has advocated the idea.

"A renovated Metrodome would still lack

many of the fan amenities characteristic of newer stadiums," the recommendation states. Additionally, the Vikings said they would not renew their lease in a renovated facility.

Representatives from the Metropolitan Sports Facilities Commission showed a way the 20-year-old stadium could be renovated into a football-only facility for \$259 million, with more seats, suites, concession areas, and a new-look exterior. Architects said the work could be done so the Vikings and Gophers would not need to relocate for one season.

However, Viking consultants said the fix is not economically feasible or a workable solution and still does not produce enough revenue in the form of total seats, suite and club seats, and parking.

Representatives from two sports design firms said the renovation plan is about \$100 million low in its cost estimate, would force the Vikings and Gophers to play one season elsewhere, and would call for the replacement of the roof, something the sports facilities commission said would not be necessary.

The university is also against renovation. Eric Kruse, vice president for university services, outlined six reasons in a March 6, 2001 letter to the sports facilities commission. Among them are the lack of a "collegiate look and feel," continued limited revenue streams, and no indication of who pays what for renovation and ongoing maintenance costs. 🐾

Longtime legislator passes away



Sen. Sam Solon

Flags at state buildings flew at half-staff the first weekend of January to honor Sen. Sam Solon (DFL-Duluth) who died from cancer Dec. 28.

Solon, 70, served in the Legislature for more than 30 years and was the second-most senior member of the Senate, behind Majority Leader Roger Moe (DFL-Erskine).

A retired junior high school social studies teacher, Solon was first elected to the House in 1970. He then served nine terms in the Senate beginning in 1972.

Gov. Jesse Ventura said colleagues thought of Solon "as a quiet and thoughtful legislator who always put the interests of his district first."

He was the son of two Greek immigrants, Nick and Dimitra Eliopoulos, who later changed the family surname to Solon. Ironically, that name was shared by a famous statesman and lawmaker in ancient Athens.

Rep. Mary Murphy (DFL-Hermantown), a House member since 1976, said she knew

Solon before they both became legislators — serving with him on a union board and teaching with him in Duluth.

"He was a caring man who respected his students and expected respect back," Murphy said. "When he gave you his word you knew you could count on it."

Murphy said Solon was the type of legislator who always made visitors to the Capitol comfortable, such as offering his office as a place for visitors from the northland to put their coats.

"He just was respectful of other people and never put himself above anybody," she said. "He was non-threatening and resourceful, always willing to help others. He wasn't just interested in his own projects but everybody's projects."

Murphy said that she and other Duluth area legislators met with Solon last November, and that he was looking forward to returning to St. Paul this session.

Rep. Mike Jaros (DFL-Duluth), a 13-term House member, worked with Solon on several pieces of legislation on behalf of the city.

Although they didn't always agree, particularly when it came to economic development and social justice issues, Jaros said

Solon was always an "easy person to work with."

"He was one of the best PR people you could have," Jaros said. "He knew how to deal with people. He didn't create enemies."

Solon chaired the Senate Commerce Committee for a decade. He also was a longtime member of the Senate Higher Education Budget Division.

Last August he was honored by his alma mater, the University of Minnesota-Duluth, which named a student services building after him. Solon was a 1958 graduate of the school with a Bachelor of Arts degree in social science.

"He is a loyal friend with vision, commitment, and leadership who has helped guide UMD in its role of academic excellence and accessibility to all Minnesotans," Chancellor Kathryn Martin said. "We are enormously grateful for all that he has done."

Solon is survived by his wife Yvonne Prettner Solon (who was elected Jan. 29 to finish his Senate term), four children, a sister, three brothers, and his mother.

(D. MAEDA)

State 'family' loses a member

Luther remembered for her focus, determination, and smile

By DAVID MAEDA

Rep. Darlene Luther (DFL-Brooklyn Park), who served for five terms in the House, died Jan. 30 from the effects of stomach cancer.



Rep. Darlene Luther

She is survived by her husband, U.S. Rep. Bill Luther (D-Minn.), and two children Alex and Alicia. Her family was with her when she passed away in their Brooklyn Park home.

In a written statement Congressman Luther said, "Darlene was a beautiful person in every sense of the word. Her unpretentious and friendly nature was a joy to all who knew her. She was generous beyond belief, and she truly loved her family, friends, and constituents. We had 34 terrific years together and the most enjoyable campaign we ever had was when she first won her seat, especially when she received more votes than her husband. Alex, Alicia, and I will truly miss her."

Gov. Jesse Ventura has ordered state flags be flown at half-staff in Luther's honor.

Sen. Linda Scheid (DFL-Brooklyn Park) a friend of the Luther's for 28 years, and a neighbor for the past 22, said Darlene was a determined person who loved being a state representative.

"She liked our community so much. She liked working for ordinary people so much," Scheid said. "One of her strongest suits was introducing legislation to solve problems for people in the community. She did more of that than a lot of us do. She was an advocate for people who didn't have a voice anywhere else."

Luther, 54, served on the House Civil Law, Capital Investment and Redistricting committees. She held a bachelor's degree in business administration from the University of St. Thomas.

She was a recipient of a liver transplant in February 1998 after being stricken with hepatitis.

Among Luther's legislative accomplishments was a measure in 2000 that funded an educational mobile unit that encourages organ donation. The \$135,000 appropriation for the measure was vetoed by Ventura but the Legislature later overrode the veto.

She also sponsored bills to help developmentally disabled people live independently. Her son, Alex, has Down Syndrome.

Scheid said that Luther's tenacity was another of her strengths as a legislator.

"She did not give up. When Dar made up her mind to do something she was determined and focused. Those are great qualities if you're going to be successful at the Legislature. She'd hang in there until they adjourned."

Luther was also a cook who liked to share with others.



PHOTO BY TOM OLMSCHEID

Rep. Darlene Luther speaks on the House floor during the 2001 session.

Scheid said that one Thanksgiving in the mid-1990s when she had her elderly step-mother living with her, she arrived at home to find that Luther had left a full turkey meal on her doorstep.

"She loved to fix food for people," Scheid said. "Food was one way she expressed her concern and love for people."

House members stood in silence at the beginning of the Jan. 31 floor session to honor Luther, whom Rep. Debra Hilstrom (DFL-Brooklyn Center) described as a dedicated and compassionate person who was a "very precious human being."

"She was a remarkable friend and state representative," Hilstrom said.

House Speaker Steve Sviggum (R-Kenyon) said Luther would be greatly missed by her colleagues.

"She was probably one of the more well-

liked members of the Legislature — her smile, her outreach to people. She was very personable."

He said that despite the inherent partisanship in a sometimes "volatile" atmosphere members of the House feel like they belong to a close extended family.

"When we lose a member it hurts everybody. We are a family, though we may have our differences and disagreements," he said. "(She was an) absolutely wonderful person who seemed to always have a smile on her face. I will miss her a lot."

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A different viewpoint

Television reporter shares perspective on terrorist attacks, legislators' role in the aftermath

BY THERESA STAHL



The moment CNN anchor Aaron Brown knew how much the events of Sept. 11 would change Americans' lives wasn't when he signed off the air after his 15 hours of nonstop

coverage of the attacks.

It didn't hit him on a visit to Ground Zero or during an interview with someone who had lost a loved one in the World Trade Center.

It was the look on his daughter's face when she walked into an airport with him and, for the first time, saw guards dressed in camouflage, armed with machine guns.

Brown is the face many watched on Sept. 11, and the day is so prominent in his career that describing it takes up more than one-fourth of his biography, which lists coverage of some of the biggest events during the past two decades.

Brown, a native of Hopkins, was invited to share his thoughts of that historic day and his experience since as a news reporter with members of the Minnesota Legislature on Jan. 31. His talk was part of "Minnesota Horizons 2002: A Changing State in a Changing World."

Earlier that day, House and Senate members participated in panel discussions about the state's changing demography and public infrastructure. Listening and talking with Brown was an opportunity to look at issues from a national perspective.

He shared his view of the attacks as a reporter, as an American, and as a father.

"The biggest story of our lives landed in my lap," he said, and he got to tell the whole world about it.



PHOTO BY ANDREW VON BANK

CNN Anchor Aaron Brown speaks to legislators and staff Jan. 31 as part of "Minnesota Horizons 2002: A Changing State in a Changing World," held at the St. Paul Technical College.

As a reporter, he said he wants to see that important issues are talked about in full. "We want to create an environment where all issues are talked about in a civil way."

Sometimes on his way to work, Brown would walk by Ground Zero. Of all the tragedy that took place there, he said it was heartening to never once see a disrespectful moment. No jokes, no laughs, he said.

He reflected on how he and many others saw much of America before the attacks, saying people had separate lives, separate schools, separate churches, and separate neighborhoods. "We were part of a much broader, bigger community, but it took a painful experience to make that clear to me," he said.

Brown said that day he wasn't just reporting the news, he was reporting history. "And history is going to judge how we handled our fear." Legislators, he told the audience, are going to be asked to change laws that affect freedoms, and that it is going to cost them a lot of money. "We shouldn't have to do it ... (especially) in a time when money is hard to find."

Rep. Ruth Johnson (DFL-St. Peter) said later in an interview that last year making preparations in law for a potential threat of foot and mouth disease was a "good foundation" for upcoming legislation for facing terrorism in Minnesota. She said Brown's message of freedoms made her think about creating a balance of security and liberty.


"We want to get it right," she said.

Brown, who lives in New York with his wife and daughters, said the attacks have changed his sense of security for his family, and for his community.

One audience member asked what Brown thought would happen to the site of Ground Zero. Brown replied that there will be a lot of demands and a lot of genuine concern for the place where 2,000-plus victims are never going to be found.

"It is a graveyard," he said. He said the discussion of what should be done should involve the nation, not just New York City.

Rep. Peggy Leppik (R-Golden Valley) asked how the media have changed since Sept. 11. Brown said reporters have a better understanding of the role they're in and have a much better sense of purpose.

"It's a shame that it takes something so horrific to remind us of that," he said. "But we remembered again why it matters." 

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Starting early

YMCA's Youth in Government program allows many who are yet unable to vote to take part in legislative process

By DAVID MAEDA

The freshly painted House chamber served as an appropriate backdrop as hundreds of junior and senior high school students gathered to participate in the 48th Model Session of the Minnesota YMCA Youth in Government Program Jan. 10-13.

The program gives students the opportunity to get hands on experience practicing the policymaking process that can lead to a career in government down the road.

"What an exciting time for you to be involved," Secretary of State Mary Kiffmeyer said in opening the model session. "Certainly since Sept. 11 there is the need to pull together no matter what your party is, no matter what your issues are."

While at the Capitol, participants proposed legislation, debated issues in committee and on the floor, and voted on which bills should become laws.

Like the occupants that normally fill the building, this year's student lawmakers debated issues including school bus safety, the environment, and whether there should be a nap hour for all students.

Burnsville senior Beth Ruscello, who was elected House Speaker at the Youth in Government state convention, has been active in the program since seventh grade.

Ruscello's interest in government led to her spending last year in Washington D.C. serving as a page for U.S. Rep. Jim Ramstad (R-Minn). She said she enjoyed the experience, particularly having the chance to meet a variety of famous people including Israel Prime Minister Ariel Sharon, professional wrestler "The Rock," and the Duchess of York.

After her experience in Washington Ruscello doesn't want to pursue a career in government because she got tired of dealing with "too many politicians and lawyers." Still she enjoyed the Youth In Government program because she likes to debate issues with peers who don't always share her conservative point of view.

For other participants, government is

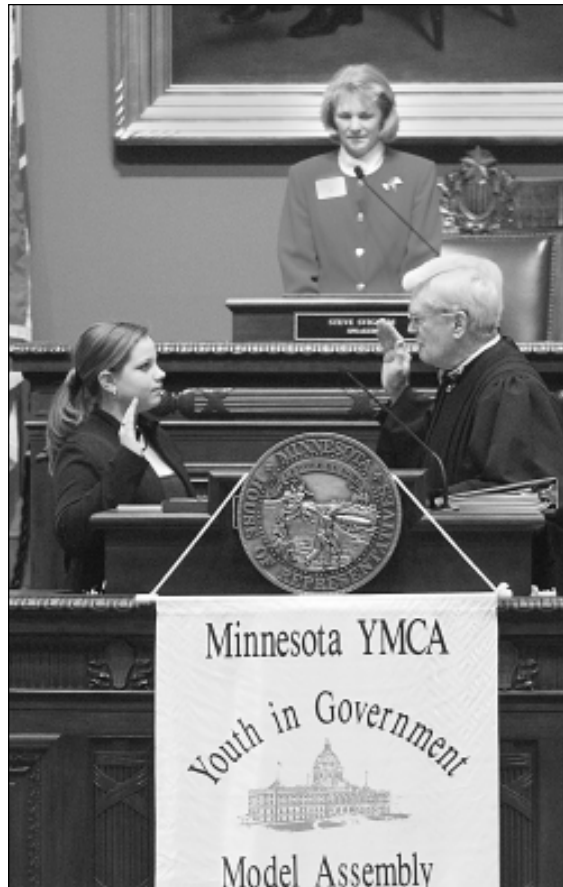


PHOTO BY ANDREW VON BANK

Associate Justice Edward Stringer of the Minnesota Supreme Court swears in Beth Ruscello of Burnsville as the Youth & Government program's Speaker of the House Jan. 11, while Secretary of State Mary Kiffmeyer looks on.

something that's in their blood.

Jaclyn Hallstrom, a sophomore at Woodbury High School, said her interest in government grew after she watched her aunt at work. Her aunt is Gail Romanowski, second assistant chief clerk in the House.

This was Hallstrom's second year in the Youth in Government program. She said the experience has been educational and fun.

"I know a lot more about what's going on," she said. "I have a much better understanding of government. It's easier to follow newspapers and what's in the news."

After serving as a page in the program last

year, Libby Murphy, the niece of House Journal Editor Pat Murphy, said that this year she learned how to write a case brief as she served as counsel in the program's court of appeals.

The Blake High School freshman plans on continuing in the program next year, hopefully as a lobbyist because she would like the opportunity to "persuade people" on issues.

Also in her second year was Elizabeth Hagmann, a Fridley High School freshman.

The niece of Barb Thomas, committee administrator for the House Capital Investment Committee, Hagmann said of the program: "You get to meet a lot of people and it's fun to learn."

Youth in Government participants may also return at some point in the future to work for real in the House.

Kevin Mosher, a research assistant in the House Research Department and an intern with the state Court of Appeals, participated in the program in 1992 and 1993 as a high school student from Rochester.

He said the program gives students invaluable hands-on experience that could help them choose a profession.

"There are few other careers at the eighth- to 12th-grade level where you actually get to go and be that person," Mosher said. "There is no better way to teach the democratic process."

Mosher said that he has remained in touch with others that were in the program with him.

"Every year during the Youth in Government session we'll talk about it," he said. "(Participants) walk away with a majestic impression of what elected officials do. They have a real appreciation for the daily things that are done to get legislation through a committee and to the floor."

In his address to a joint convention of the House and Senate, this year's governor, Burnsville senior Matt Blackmar, said that not all leaders hold titles such as president, governor, or CEO.

"Leaders are any individual who guides others forward," Blackmar said. In urging the student lawmakers to be "passionate and progressive," he said the students could make an impact on the "real world" by using the model session to get their voices heard.

Pre-filed Bills Tuesday, December 11

HF2586—Kielkucki (R) K-12 Education Finance

Enrollment options established for students at low-performing schools.

HF2587—Kahn (DFL) Governmental Operations & Veterans Affairs Policy

Baseball: Minnesota Twins community ownership process provided.

HF2588—Smith (R) Civil Law

Family law recodification provided.

HF2589—Ness (R) Transportation Policy

Corn-based highway de-icing solutions provided for snow and ice control on state trunk highways.

HF2590—Swapinski (DFL) Judiciary Finance

Hazardous materials teams reinstated in Duluth, Moorhead, and Rochester; and money appropriated.

HF2591—Goodno (R) Health & Human Services Policy

Optometry legend drug prescription restrictions removed, and reporting requirements expanded.

HF2592—Juhnke (DFL) Local Government & Metropolitan Affairs

Metropolitan transit authority established, authority transferred, sales and use tax imposed, motor vehicle sales tax proceeds distribution modified, and conforming changes provided.

HF2593—Kahn (DFL) Governmental Operations & Veterans Affairs Policy

City council ward elections provided after reapportionment.

HF2594—Mullery (DFL) Taxes

Limited market value phase-out repealed, and program sunset provided.

HF2595—Smith (R) Civil Law

Family law recodification provided.

HF2596—Holberg (R) Civil Law

Child custody provided for by de facto custodians and third parties.

HF2597—Kubly (DFL) Crime Prevention

Smoke detectors required to be attached to central power source in dwelling units and guest rooms that are not owner-occupied.

HF2598—Cassell (R) Education Policy

Pledge of allegiance recitation required in all public schools, and United States flag respect instruction provided.

HF2599—Mulder (R) Governmental Operations & Veterans Affairs Policy

Health care nonprofessionals defined as essential employees.

HF2600—Mulder (R) Health & Human Services Policy

Wading pools at family day care homes exempted from public swimming pool requirements.

HF2601—Davids (R) Commerce, Jobs & Economic Development

No-fault auto insurance medical expense benefits regulated.

HF2602—Rifenberg (R) Local Government & Metropolitan Affairs

Rushford redevelopment tax increment financing district extended duration authorized.

HF2603—Paulsen (R) Health & Human Services Policy

Optometrists and ophthalmologists required to give patients copies of eyeglass and contact lens prescriptions.

HF2604—Ozment (R) Environment & Natural Resources Policy

Deer hunting lifetime firearms and archery license provided.

HF2605—Gunther (R) Commerce, Jobs & Economic Development

Drug and alcohol testing provisions modified and point of collection testing regulated relating to employment.

HF2606—Koskinen (DFL) Commerce, Jobs & Economic Development

Telephone sales call regulation provided, no call list maintained, educational efforts provided, remedies provided, and money appropriated.

HF2607—Sertich (DFL) Commerce, Jobs & Economic Development

Workforce development fund assessment increased.

HF2608—Kielkucki (R) Governmental Operations & Veterans Affairs Policy

Casino; privately operated metropolitan area casino authorized, tax on gross receipts imposed, and constitutional amendment proposed.

HF2609—Anderson, I. (DFL) Jobs & Economic Development Finance

Cold weather research center grant provided and money appropriated.

HF2610—Bernardy (DFL) K-12 Education Finance

Locally inflationary increase in the basic formula allowance authorized, inequities among school district revenue sources reduced, alternative facilities program expanded, and other revenue provisions modified.

HF2611—Bernardy (DFL) Local Government & Metropolitan Affairs

Anoka County emergency radio system bonds and levy authorized.

HF2612—Rhodes (R) Commerce, Jobs & Economic Development

Licensed architect, engineer, land surveyor, landscape architect, geoscientist, or certified interior designer requirement circumstances revised.

HF2613—Tuma (R) Crime Prevention

Firearms; persons convicted of a crime of violence prohibited from possessing firearms for life.

HF2614—Dehler (R) Taxes

Local government aid city aid base increased for specified cities.

HF2615—Ozment (R) Transportation Policy

License plates; alternative-fuel license plates authorized, and vehicles authorized to operate in high-occupancy lanes.

HF2616—Seifert (R) Taxes

Lyon County public works household hazardous waste facility construction materials and supplies sales tax exemption provided.

HF2617—Tuma (R) Environment & Natural Resources Finance

Mill towns state trail bonds authorized and money appropriated.

HF2618—Holberg (R) Crime Prevention

Public employees and officials required to report certain unlawful actions to law enforcement.

HF2619—Huntley (DFL) Health & Human Services Policy

State Emergency Health Powers Act established requiring reporting of illnesses and health conditions, specifying standards for declaring a health emergency, authorizing special powers, establishing enforcement, and appropriating money.

HF2620—Rukavina (DFL) Commerce, Jobs & Economic Development

American flag and related items sale prohibited unless manufactured in the United States.

Tuesday, January 29

HF2621—Abrams (R) Taxes

Bakery products including bread specifically exempted from the prepared foods sales tax.

HF2622—Stanek (R) Crime Prevention

Minnesota Anti-Terrorism Act of 2002 adopted providing civil and criminal penalties, establishing biological agents registry and hazardous materials regulations, issuing bonds, and appropriating money.

HF2623—Winter (DFL) Transportation Finance

Worthington greater Minnesota transit fund assistance provided for operating subsidies for taxi service through Prairie Land transit joint powers authority.

HF2624—Buesgens (R) Local Government & Metropolitan Affairs

Shakopee Public Utilities Commission increased from three to five members.

HF2625—Seifert (R) Health & Human Services Policy

Minnesota Clean Indoor Air Act new or amended rules legislative approval required.

HF2626—Mulder (R)
Health & Human Services Policy
Intensive early intervention behavior therapy evaluation required and sunset provided.

HF2627—Holberg (R)
Taxes
Employee and employer identity information exchange between Department of Labor and Industry and Department of Revenue authorized.

HF2628—Pelowski (DFL)
Commerce, Jobs & Economic Development
Winona and Southwest State university measurements provided for minimum distance from campus for liquor license location.

HF2629—Stanek (R)
Commerce, Jobs & Economic Development
Retired individuals license by the board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design authorized to use a retired professional designation.

HF2630—Erhardt (R)
Taxes
Noncommercial seasonal recreational property exempted from the state property tax.

HF2631—Molnau (R)
Transportation Finance
Previous transportation appropriation unobligated balance for an exclusive busway canceled.

HF2632—Molnau (R)
Transportation Policy
Freeway and expressway shoulder bus usage expanded to include all buses where such use is permitted.

HF2633—Ness (R)
Taxes
Local government aid city aid base increased for certain cities.

HF2634—Winter (DFL)
Crime Prevention
School trespass law clarified.

HF2635—Bradley (R)
Health & Human Services Policy
Individual education plan services billing consent requirements modified for billing medical assistance and MinnesotaCare.

HF2636—Dorman (R)
Commerce, Jobs & Economic Development
Farmland Foods Company employees extra unemployment benefits provided.

HF2637—Ozment (R)
Local Government & Metropolitan Affairs
Temporary town officeholders authorized in the event of inability or refusal to serve.

HF2638—Ness (R)
Taxes
Local government aid city aid base increased for certain cities.

HF2639—Penas (R)
Transportation Finance
Trunk highway improvements to year-round 10-ton status provided, bonds issued, and money appropriated.

HF2640—Wilkin (R)
Health & Human Services Policy
Medical assistance, MinnesotaCare, or general assistance medical care; persons wrongfully obtaining assistance disqualified.

HF2641—Bradley (R)
Health & Human Services Policy
Health plan company regulation modified, prescription drug discount program established, Minnesota provider tax and tobacco tax provisions modified, malpractice punitive damage limit imposed, and money appropriated.

HF2642—Gerlach (R)
Commerce, Jobs & Economic Development
Mine inspector annual audit requirement modified.

HF2643—Gerlach (R)
Transportation Policy
Impounded vehicle sale authorized within 15 days of notice unless owner declares intent to reclaim.

HF2644—Pawlenty (R)
Jobs & Economic Development Finance
Veterans and single homeless adult housing projects authorized, bonds issued, and money appropriated.

HF2645—Rhodes (R)
Health & Human Services Finance
Minneapolis veterans home remodeling provided to accommodate 80 skilled nursing beds, bonds issued, and money appropriated.

HF2646—Bradley (R)
Health & Human Services Policy
Prescription drug discount program established, and money appropriated.

HF2647—Erickson (R)
Health & Human Services Policy
Federal tax rebates not considered means of support relating to veterans home discretionary admission.

HF2648—Ness (R)
Jobs & Economic Development Finance
Dassel wastewater treatment facilities improvements authorized, bonds issued, and money appropriated.

HF2649—Smith (R)
Transportation Policy
Personal data related to operation of a motor vehicle disclosure by the department of public safety provided.

HF2650—Dempsey (R)
Transportation Finance
Port development assistance funding provided, bonds issued, and money appropriated.

HF2651—Wolf (R)
Commerce, Jobs & Economic Development
Auto glass repair and replacement fair and reasonable market price regulation provided.

HF2652—Lieder (DFL)
Local Government & Metropolitan Affairs
Polk County recorder and auditor-treasurer offices appointment provided.

HF2653—Greiling (DFL)
Transportation Policy
Transportation of animals in motor vehicles prohibited unless protected or secured, and exceptions provided.

HF2654—Anderson, B. (R)
Health & Human Services Finance
Fergus Falls veterans home construction funding provided to provide 25 to 30 skilled nursing beds, bonds issued, and money appropriated.

HF2655—Pawlenty (R)
Taxes
Property tax deferral extended on art park property.

HF2656—Dempsey (R)
Jobs & Economic Development Finance
Hastings hydro-electric plant capital improvements grant authorized, bonds issued, and money appropriated.

HF2657—Dawkins (DFL)
Civil Law
Probate and power of appointment provisions modified.

HF2658—Erickson (R)
Governmental Operations & Veterans Affairs Policy
Casinos; counties authorized to issue casino license, taxation authorized, and constitutional amendment proposed.

HF2659—Schumacher (DFL)
Education Policy
School districts authorized to retain elementary music and art specialists.

HF2660—Erickson (R)
Education Policy
Sexually transmitted disease educational program modified to include promoting marriage.

HF2661—Osskopp (R)
Environment & Natural Resources Policy
Game and fish law harassing conduct provision clarified relating to access to marinas by water.

HF2662—Stanek (R)
Crime Prevention
Interstate compact for adult offender supervision adopted, existing compact repealed, advisory council created, administrator appointed, and money appropriated.

HF2663—Bradley (R)
Health & Human Services Policy
Newborn circumcision medical assistance coverage prohibited unless medically necessary.

HF2664—Bradley (R)
Health & Human Services Policy
Supplemental nursing services agencies requirements modified.

HF2665—Jaros (DFL)
Jobs & Economic Development Finance
Duluth aerial lift bridge repair and restoration grant provided, bonds issued, and money appropriated.

HF2666—Dorman (R)
Taxes
Tax amnesty program established.

HF2667—Dorman (R)
Local Government & Metropolitan Affairs
Albert Lea tax increment financing district authorized.

HF2668—Dorman (R)
Environment & Natural Resources Finance
Blazing Star State Trail segment construction authorized, bonds issued, and money appropriated.

HF2669—Dorman (R)
Judiciary Finance
Freeborn County crime victim crisis center grant provided and money appropriated.

HF2670—Seifert (R)
Transportation Policy
Trunk Highway 23 from St. Cloud to I-90 designated as a high-priority inter-regional corridor, and reconstruction directed as a multi-lane divided highway.

HF2671—Hackbarth (R)**Transportation Finance**

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

HF2672—Seifert (R)**Environment &
Natural Resources Policy**

Special hunting provisions authorized for persons with walking disabilities.

HF2673—Holsten (R)**Environment &
Natural Resources Finance**

Stillwater; Brown's Creek environmental protection grant provided and money appropriated.

HF2674—Carlson (DFL)**Taxes**

Bakery goods including bread specifically exempted from the prepared food sales tax.

HF2675—Swapinski (DFL)**Jobs & Economic
Development Finance**

Spirit Mountain Recreation Area authority improvements grant provided, bonds issued, and money appropriated.

HF2676—Jaros (DFL)**Governmental Operations &
Veterans Affairs Policy**

State lottery sports pool games established, net proceeds credited to a human resources account and appropriated annually to nutrition, housing, and health care.

HF2677—Jaros (DFL)**Transportation Policy**

Cell phone use prohibited in moving motor vehicle unless in case of emergency, and misdemeanor penalty imposed.

HF2678—Solberg (DFL)**Health & Human Services Policy**

Medical assistance demonstration project prepaid medical assistance and prepaid general assistance medical program requirements modified.

HF2679—Solberg (DFL)**Health & Human Services Policy**

State's compensation liability insurance for licensed providers increased.

HF2680—Lieder (DFL)**Transportation Finance**

Trunk highway major projects account established, gasoline and special fuel tax imposed, bonds issued, and money appropriated.

HF2681—Hackbarth (R)

Resolution to the President and Congress pledging support and extending sympathy and appreciation to the sacrifices of those responding to the terrorist attacks of Sept. 11, 2001.

Thursday, January 31**HF2682—Daggett (R)****Environment &
Natural Resources Finance**

Reinvest in Minnesota (RIM) conservation reserve program funding provided, bonds issued, and money appropriated.

HF2683—Holsten (R)**Environment &
Natural Resources Policy**

Nonprofit organizations authorized to charge admission fee to venison meals.

HF2684—Hackbarth (R)**Environment &
Natural Resources Policy**

Game and hunting technical modifications and clarifications provided.

HF2685—Ozment (R)**Environment &
Natural Resources Finance**

State park and recreation area improvements, restoration, and acquisition funding provided, bonds issued, and money appropriated.

HF2686—Pawlenty (R)**Transportation Finance**

Tobacco settlement revenue bonds authorized to fund road improvement and bottleneck reduction fund, and money appropriated.

HF2687—Entenza (DFL)**Taxes**

Motor vehicle sales tax payment provided for vehicle sold in violation of dealer licensing requirements, and certain motor vehicle title misdemeanor penalties abolished.

HF2688—Opatz (DFL)**Taxes**

Bakery items including bread specifically exempted from the prepared food sales tax.

HF2689—Opatz (DFL)**Health & Human Services Policy**

Newborn infant dependent health insurance coverage required to cover cleft lip and cleft palate conditions.

HF2690—Davids (R)**Environment &
Natural Resources Finance**

Reinvest in Minnesota (RIM) conservation reserve program funding provided, bonds issued, and money appropriated.

HF2691—Tingelstad (R)**Environment &
Natural Resources Policy**

Pollution Control Agency required to amend rule to provide for bioremediation technologies in failed individual sewage treatment systems.

HF2692—Davids (R)**Agriculture & Rural
Development Finance**

Feedlots funding usage authorized for environmental improvements.

HF2693—Davids (R)**Environment &
Natural Resources Finance**

Blufflands trail system segment funding provided, and money appropriated.

HF2694—Davids (R)**Environment &
Natural Resources Policy**

Hunting season artificial light prohibition modified.

HF2695—Mares (R)**Governmental Operations &
Veterans Affairs Policy**

Minneapolis Firefighters Relief Association retirement provisions corrections provided.

HF2696—Slawik (DFL)**Crime Prevention**

Student-on-student abuse policy required consistent with existing related policies.

HF2697—Skoe (DFL)**Environment &
Natural Resources Finance**

Big Bog State Recreation Area addition provided.

HF2698—Paulsen (R)**Health & Human Services Policy**

Board of Physical Therapy rulemaking authority on licensee ethics extended.

HF2699—Nornes (R)**Jobs & Economic
Development Finance**

Parkers Prairie street flooding mitigation funding provided, bonds issued, and money appropriated.

HF2700—Nornes (R)**Family & Early Childhood
Education Finance**

Fergus Falls public library expansion project funding provided, bonds issued, and money appropriated.

HF2701—Greiling (DFL)**Commerce, Jobs &
Economic Development**

Parenting leave definition of "child" clarified.

HF2702—Mulder (R)**Health & Human Services Policy**

Nurse licensure compact enacted.

HF2703—Biernat (DFL)**Transportation Policy**

Purple Heart Trail designated on Trunk Highways 390, 391, and 392.

HF2704—Greiling (DFL)**Education Policy**

Local school board student advisory members authorized, and student school board involvement evaluated.

HF2705—Howes (R)**Family & Early Childhood
Education Finance**

Pine River city library renovation and expansion funding provided, bonds issued, and money appropriated.

HF2706—Entenza (DFL)**Transportation Policy**

Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided, and money appropriated.

HF2707—Skoe (DFL)**Environment &
Natural Resources Policy**

State lands withdrawn from sale shoreline provision modified.

HF2708—Ness (R)**Agriculture Policy**

Minnesota Extension Service county extension work definition clarified.

HF2709—Skoe (DFL)**Environment &
Natural Resources Finance**

Big Bog State Recreation Area visitors center construction funding provided, bonds issued, and money appropriated.

HF2710—Entenza (DFL)**Commerce, Jobs &
Economic Development**

Telephone solicitation limited, no-call list maintained, and penalties provided.

HF2711—Skoglund (DFL)**Commerce, Jobs &
Economic Development**

Telephone solicitation limited, no-call list maintained, and penalties provided.

HF2712—Mulder (R)**Environment &
Natural Resources Finance**

Lewis and Clark rural water project funding provided, previous bonding appropriation cancelled, and money appropriated.

HF2713—Workman (R)**Environment &
Natural Resources Finance**

Carver County Seminary fen acquisition and restoration funding provided, bonds issued, and money appropriated.

HF2714—Rukavina (DFL)**Commerce, Jobs &
Economic Development**

Auto glass repair and replacement regulated.

HF2715—Goodno (R)**Taxes**

Border city development zone newly constructed homes property tax, rental income, and housing tax incentives provided.

HF2716—Clark, J. (R)**Family & Early Childhood Education Finance**

Youth enrichment activity facilities capital improvements funding provided, and money appropriated.

HF2717—Fuller (R)**Health & Human Services Policy**

Emergency medical services occupational provisions modified.

HF2718—Mulder (R)**Taxes**

Homestead property tax classification extended to specified non-homestead property.

HF2719—Leppik (R)**Commerce, Jobs & Economic Development**

Uniform Athlete Agents Act providing student athlete agent registration adopted, and money appropriated.

HF2720—Dempsey (R)**Taxes**

Local government aid city aid base increased for certain cities.

HF2721—Dempsey (R)**Taxes**

Local government aid city aid base increased for certain cities.

HF2722—Hilty (DFL)**Transportation Policy**

Aitkin County; Don M. Beerbower Memorial Highway established.

HF2723—Clark, K. (DFL)**Civil Law**

Undocumented non-citizens qualified as Minnesota residents for higher education purposes.

HF2724—Koskinen (DFL)**Health & Human Services Policy**

Prescription drug program enrollment limitation eliminated.

HF2725—Kelliher (DFL)**Environment & Natural Resources Finance**

Minneapolis Lake of the Isles flood mitigation funding provided, bonds issued, and money appropriated.

HF2726—Stang (R)**Commerce, Jobs & Economic Development**

Motor vehicle dealer transfers deadline clarified.

HF2727—Stang (R)**Commerce, Jobs & Economic Development**

Home improvement and new home warranty breach damages modified to include attorney fees.

HF2728—Slawik (DFL)**Civil Law**

Biological agents registry and safety standards established, rulemaking authorized, civil penalty provided, and money appropriated.

HF2729—Rifenberg (R)**Environment & Natural Resources Policy**

Winona County surplus land sale authorized.

HF2730—Winter (DFL)**Agriculture Policy**

Diesel fuel minimum biodiesel content required.

HF2731—Leppik (R)**Education Policy**

Minnesota College Savings Plan technical correction provided.

HF2732—Pelowski (DFL)**Higher Education Finance**

Minnesota State College - Southeast Technical science labs funding provided, bonds issued, and money appropriated.

HF2733—Ness (R)**Taxes**

Bakery goods including bread specifically exempted from the prepared foods sales tax.

HF2734—Dibble (DFL)**Taxes**

Bakery goods including bread specifically exempted from the prepared foods sales tax.

HF2735—Greiling (DFL)**Civil Law**

Civil commitment standards conformity provided, and courts authorized to commit certain persons with mental illnesses to community hospitals.

HF2736—Goodwin (DFL)**Taxes**

Bakery goods including bread specifically exempted from the prepared foods sales tax.

HF2737—Goodwin (DFL)**Crime Prevention**

Firearms possession lifetime prohibition imposed on persons convicted of a crime of violence.

HF2738—Rifenberg (R)**Agriculture Policy**

Open air swine basin new construction permits prohibited.

HF2739—Dorman (R)**Agriculture Policy**

Feedlot upgrade expenditure limits modified.

HF2740—Larson (DFL)**Health & Human Services Policy**

MinnesotaCare eligibility four-month insurance barrier eliminated for specified airline workers.

HF2741—Pelowski (DFL)**Higher Education Finance**

Minnesota State College - Southeast Technical student services areas renovation funding provided, bonds issued, and money appropriated.

HF2742—Lipman (R)**Governmental Operations & Veterans Affairs Policy**

State agency contested case procedures regulation provided.

HF2743—Workman (R)**Transportation Finance**

Trunk Highway 212 multi-lane divided highway construction funding provided and money appropriated.

HF2744—Fuller (R)**Taxes**

Electric generation facility personal property tax exemption provided.

HF2745—Goodwin (DFL)**Education Policy**

School boards required to adopt policy prohibiting intimidation and bullying, and other harassment and violence policy consistency required.

HF2746—Tuma (R)**Civil Law**

Minnesota Anti-Terrorism Act of 2002 adopted.

HF2747—Solberg (DFL)**Taxes**

Itasca and Koochiching tourism, agricultural, and industrial development spending limit increased.

HF2748—Westrom (R)**Education Policy**

Independent School District No. 801, Browns Valley, early school year start authorized.

HF2749—Harder (R)**Jobs & Economic Development Finance**

Jackson County Fort Belmont restoration funding provided, bonds issued, and money appropriated.

HF2750—Larson (DFL)**Commerce, Jobs & Economic Development**

Unemployment; extra benefits provided for workers laid off from airline and related industries.

HF2751—Stang (R)**Commerce, Jobs & Economic Development**

Minnesota credit union protection act adopted.

HF2752—Goodwin (DFL)**Governmental Operations & Veterans Affairs Policy**

State government use of consultants limited and moratorium on consulting contracts imposed.

HF2753—Hilty (DFL)**Local Government & Metropolitan Affairs**

Carlton County recorder appointment authorized.

HF2754—Wolf (R)**Transportation Finance**

Freight improvement projects funding provided, bonds issued, and money appropriated.

HF2755—Haas (R)**Health & Human Services Policy**

Health insurance form and rate filing requirements modified, task force on small business health insurance extended, geographic premium variations modified, and renewal premium increases cap established.

HF2756—Kuisle (R)**Local Government & Metropolitan Affairs**

Annexation processes limited, municipal council member election after annexation provided, reversion of property provided, tax rates limited until sewer and water are provided, and annexation moratorium provided.

HF2757—Abeler (R)**Health & Human Services Policy**

Human services licensure; commissioner's authority to set aside a disqualification limited.

HF2758—Ozment (R)**Commerce, Jobs & Economic Development**

Sprinkler system installation required in certain existing high-rise buildings, and tax deduction provided.

HF2759—Bradley (R)**Health & Human Services Policy**

Case management choice provided for persons with mental retardation or related conditions.

HF2760—Greiling (DFL)**Education Policy**

Nonpublic schools required to annually provide notice of equal transportation requirements.

HF2761—Erickson (R)**Governmental Operations & Veterans Affairs Policy**

State treasurer duties transferred.

HF2762—Swapinski (DFL)**Higher Education Finance**

Lake Superior College in Duluth addition and remodeling funding provided, bonds issued, and money appropriated.

HF2763—Entenza (DFL)**Commerce, Jobs & Economic Development**

Mutual insurance holding company authorized to reorganize into a stock company, ceding transaction accounting provisions modified, and workers' compensation rating plan threshold calculations modified.

HF2764—Abrams (R)**Governmental Operations & Veterans Affairs Policy**

Unicameral legislature established and constitutional amendment provided.

HF2765—Paymar (DFL)**Taxes**

Bakery goods including bread specifically exempted from the prepared food coverage.

HF2766—Haas (R)**Commerce, Jobs & Economic Development**

Motor vehicle fuel franchise sale federal code compliance expiration date removed.

HF2767—Kubly (DFL)**Environment & Natural Resources Finance**

Granite Falls flood mitigation projects funding provided, bonds issued, and money appropriated.

HF2768—Lieder (DFL)**Environment & Natural Resources Finance**

Crookston; Red Lake River restoration and habitat improvement project funding provided, bonds issued, and money appropriated.

HF2769—Swenson (R)**Transportation Finance**

County-state-aid highway priority reconstruction project funding provided for specific highways in specified counties, bonds issued, and money appropriated.

HF2770—Finseth (R)**Agriculture Policy**

Rural finance authority loan eligibility criteria modified, and additional business organizations made eligible for value-added stock participation.

HF2771—Paymar (DFL)**Commerce, Jobs & Economic Development**

Telephone sales calls limited, no call list established, remedies provided, and money appropriated.

HF2772—Harder (R)**Crime Prevention**

Climbing on the roof of school buildings prohibited.

HF2773—Seifert (R)**Higher Education Finance**

Southwest State University in Marshall fire-damaged facilities replacement funding provided, bonds issued, and money appropriated.

HF2774—Howes (R)**Local Government & Metropolitan Affairs**

Annexation of unincorporated land procedures and criteria provided.

HF2775—Mulder (R)**Environment & Natural Resources Policy**

Casey Jones State Trail length and use provisions expanded.

HF2776—Mulder (R)**Environment & Natural Resources Finance**

Casey Jones Trail capital planning, acquisition, and development funding provided, bonds issued, and money appropriated.

HF2777—Juhnke (DFL)**Taxes**

Paper returns for quarterly sales tax filers authorized.

HF2778—Wolf (R)**Regulated Industries**

Telecommunications special master position created in the Office of Administrative Hearings, carrier operations separation authorized for repeated violations, and civil and administrative penalties increased.

HF2779—Lipman (R)**Governmental Operations & Veterans Affairs Policy**

State agency rule interpretive notice authority provided, and notice and comment procedures authorized.

HF2780—Lipman (R)**Civil Law**

Land conveyance by counties curative act created, recording of documents written in foreign languages provided, and affidavit of custodian form established.

HF2781—Erickson (R)**Governmental Operations & Veterans Affairs Policy**

Legislative size, committee organization provisions, leader service limitations, and term regulations established; gubernatorial cabinet created; departments and agencies assigned; and constitutional amendment proposed.

HF2782—Erickson (R)**Governmental Operations & Veterans Affairs Policy**

Kanabec hospital employee PERA pension benefit provisions established in the event of privatization.

HF2783—Davids (R)**Commerce, Jobs & Economic Development**

No-fault auto insurance residual liability coverage regulated.

HF2784—Anderson, I. (DFL)**Commerce, Jobs & Economic Development**

Credit information use by insurer prohibited.

HF2785—Goodno (R)**Civil Law**

Limited liability companies and business corporations, corporate name usage, and investment company share issuance procedures regulated; electronic record and signature legal recognition provided.

HF2786—Mares (R)**Governmental Operations & Veterans Affairs Policy**

Restrictions for supplemental, deferred compensation, and local pension plans clarified for plans funded from accumulated sick and vacation leave.

HF2787—Hilty (DFL)**Crime Prevention**

Criminal background checks for electronic security system company employees required, procedures provided, discharge and license disqualification authorized, and criminal penalties imposed for failure to request checks as required.

HF2788—Evans (DFL)**Taxes**

Bakery products including bread specifically exempted from the prepared foods sales tax.

HF2789—Osthoff (DFL)**Jobs & Economic Development Finance**

Stadium; St. Paul major league baseball stadium construction provided, St. Paul food and liquor tax levied, ticket tax established, bonds issued, and money appropriated.

HF2790—Osthoff (DFL)**Environment & Natural Resources Finance**

Como Park Conservatory restoration project funding provided, bonds issued, and money appropriated.

HF2791—Rukavina (DFL)**Civil Law**

Parenting time right required in certain custody proceedings.

HF2792—Ozment (R)**Environment & Natural Resources Finance**

Local governments indemnification provided for participating in household hazardous waste programs.

HF2793—Osskopp (R)**Governmental Operations & Veterans Affairs Policy**

Gambling and gambling devices obsolete language deleted, and conforming changes provided.

HF2794—Solberg (DFL)**Transportation Finance**

Aitkin County Great River Road completion funding provided, bonds issued, and money appropriated.

HF2795—Swapinski (DFL)**Family & Early Childhood Education Finance**

Emergency assistance and transitional housing funding provided and money appropriated.

HF2796—Ozment (R)**Local Government & Metropolitan Affairs**

Minneapolis joint venture asphalt plant construction authorized and local approval required.

HF2797—Holberg (R)**Civil Law**

Private detective or protective agent license holder employee criminal history check data usage regulations clarified.

HF2798—Holberg (R)**Transportation Policy**

Interregional transportation corridor development advance funding provision modified.

HF2799—Bishop (R)**Governmental Operations & Veterans Affairs Policy**

Casino; state-run gaming facility authorized, Native American government net profit portion established, and gaming facility revenue usage regulations provided.

HF2800—Ness (R)**K-12 Education Finance**

Career and technical education permanent funding source created.

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

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MONDAY, February 4

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

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

Agenda: ***NOTE CHANGE***

HF2793 (Osskopp) Gambling and gambling devices obsolete language deleted, and conforming changes provided.

HF2779 (Lipman) State agency rule interpretive notice authority provided, and notice and comment procedures authorized.

HEALTH & HUMAN SERVICES FINANCE

10 State Office Building
Chr. Rep. Kevin Goodno

Agenda: Continued review of HHS-related capital investment requests.

Continued review of HHS-related portions of the Governor's capital investment proposal.

HFXXXX (Kahn) Request for funds for a facility in Minneapolis (MCDA and People Inc.) (informational hearing).

HFXXXX (Eastlund) Request for funds to demolish DHS structures in Cambridge (informational hearing).

HFXXXX (Tingelstad) Request for funds for a facility in St. Paul (American Lung Association) (informational hearing).

Other bills may be heard.

JOBS & ECONOMIC

DEVELOPMENT FINANCE

200 State Office Building
Chr. Rep. Dan McElroy

Agenda: Supplemental Budget Review.

Minnesota Historical Society, Nina Archabal, Director.

Minnesota Housing Finance Agency, Kit Hadley, Commissioner.

Department of Commerce, Jim Bernstein, Commissioner.

Department of Labor and Industry, Shirley Chase, Commissioner.

TRANSPORTATION FINANCE

5 State Office Building

Chr. Rep. Carol Molnau

Agenda: HF2650 (Dempsey) Port development assistance funding provided, bonds issued, and money appropriated.

HF2671 (Hackbarth) Anoka County park-and-ride lot authorized, bonds issued, and money appropriated.

HFXXXX (Tingelstad) Northstar Corridor commuter rail funding provided, bonds issued, and money appropriated.

10:15 a.m.

CIVIL LAW

Basement Hearing Room

State Office Building

Chr. Rep. Steve Smith

Agenda: HF2622 (Tuma) Minnesota Anti-Terrorism Act of 2002 adopted providing civil and criminal penalties, establishing biological agents registry and hazardous materials regulations, issuing bonds, and appropriating money.

HFXXXX (Lipman) Real Property changes.

Note: Any agenda items not completed in the morning will be heard in 500S State Office Building 15 minutes after session.

ENVIRONMENT & NATURAL RESOURCES FINANCE

10 State Office Building

Chr. Rep. Mark Holsten

Agenda: Department of Natural Resources bonding requests.

HIGHER EDUCATION FINANCE

300S State Office Building

Chr. Rep. Peggy Leppik

Agenda: HFXXXX (Leppik) Athlete Agents Act. Witness: James Bernstein, Commissioner, Department of Commerce.

Responses to the Governor's FY 03-05 budget recommendations - Student and faculty organizations and affected HESO programs.

Witnesses: Jim Pehler, President, IFO; Brad Krasaway, President, MSCSA; Angie Siverhaus, Ridgewater College; Justin Klander, President, MSUSA; Tyler Despins; Ed Schones, Co-President, Minnesota State College Faculty; Larry Oveson, Co-President, Minnesota State College Faculty; Ann Hutton, Legislative Chair, Minnesota Library Association; Chris Olson, Executive Director, Cooperating Libraries in Consortium.

K-12 EDUCATION FINANCE

5 State Office Building

Chr. Rep. Alice Seagren

Agenda: Education lobbying groups' response to Governor's budget: Education Minnesota; MSBA; Special Education Organizations - ARC; PACER, Minnesota Learning Resource Center; Service employees; Other education lobbying groups.

Federal Elementary and Secondary Education Act.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: Public testimony on Governor's tax proposals.

12:30 p.m.

FAMILY & EARLY CHILDHOOD EDUCATION FINANCE

5 State Office Building

Chr. Rep. Barb Sykora

Agenda: Minnesota Economic Opportunity Grants (MEOG); Continuation of child care overview.

LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building

Chr. Rep. Jerry Dempsey

Agenda: HF2602 (Rifenberg) Rushford redevelopment tax increment financing district extended duration authorized.

HF2667 (Dorman) Albert Lea tax increment financing district authorized.

HF2624 (Buesgens) Shakopee public utilities commission increased from three to five members.

HF2652 (Lieder) Polk County recorder and auditor-treasurer offices appointment provided.

REGULATED INDUSTRIES

10 State Office Building

Chr. Rep. Ken Wolf

Agenda: HF2550 (Osskopp) Emergency 911 telephone system provisions modified to establish emergency telecommunications system. Discussion of the following bills:

HFXXXX (Wolf) Relating to telecommunications, establishing a special master, authorizing the PUC to order structural separation, and increasing civil and administrative penalties.

HFXXXX (Stanek) Domestic Terrorism prevention proposal and 911 fees.

3 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, February 5

8:15 a.m.

EDUCATION POLICY

200 State Office Building

Chr. Rep. Harry Mares

Agenda: Overview of changes to the federal Elementary and Secondary Education Act (ESEA).

HEALTH & HUMAN SERVICES POLICY

10 State Office Building

Chr. Rep. Fran Bradley

Agenda: HFXXXX (Paulsen) Board of Physical Therapy Housekeeping Bill.

HF2603 (Paulsen) Optometrists and ophthalmologists required to give patients copies of eyeglass and contact lens prescriptions.

HF2473 (Kahn) Organ donor designation on driver's license considered conclusive evidence of intent.

HF2515 (Goodno) Notice of death of unidentified homeless persons provided on Department of Health web site.

HF2531 (Goodno) Hospice care providers regulated.

HF2664 (Bradley) Supplemental nursing services agencies requirements modified.

JUDICIARY FINANCE

Basement Hearing Room

State Office Building

Chr. Rep. Rich Stanek

Agenda: Continuation of Governor's Budget Recommendations: Department of Public Safety; Department of Corrections.

Governor's office testimony regarding how budget decisions were made.

Note: Public testimony will be heard regarding Department of Public Safety and Department of Corrections recommendations. Please contact Jeff Davidman at 651-296-4110 if you are interested in testifying.

TRANSPORTATION POLICY

5 State Office Building

Chr. Rep. Tom Workman

Agenda: HF2643 (Gerlach) Impounded vehicle sale authorized within 15 days of notice unless owner declares intent to reclaim.

HF2589 (Ness) Corn-based highway de-icing solutions provided for snow and ice control on state trunk highways.

HF2632 (Molnau) Freeway and expressway shoulder bus usage expanded to include all buses where such use is permitted.

HF2649 (Smith) Personal data related to operation of a motor vehicle disclosure by the Department of Public Safety provided.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room

State Office Building

Chr. Rep. John Tuma

Agenda: HF2662 (Stanek) Interstate compact for adult offenders.

HFXXXX (Clark, J.) County attorney association proposals.

Bills returned from the General Register under Rule 4.20 at the end of the 2001 Session:

HF170 (Leighton) Stay of adjudication for certain driving offenses.

HF1025 (Entenza) State Board of Investment.

SF1297/HF1908 (McGuire) Gunshot wound reporting.

CANCELED

ENVIRONMENT & NATURAL RESOURCES POLICY

10 State Office Building

Chr. Rep. Dennis Ozment

Agenda: Canceled. (Legislative Auditor Report and State Solid Waste Advisory Committee Report will be taken up on Thursday, Feb. 7.)

STATE GOVERNMENT FINANCE

300N State Office Building

Chr. Rep. Philip Krinkie

Agenda: Governor's bonding recommendations: Department of Military Affairs; Department of Administration; Capitol Area Architectural and Planning Board; Amateur Sports Commission.

Note: Agenda will carry over to Thursday.

12:30 p.m.

AGRICULTURE & RURAL DEVELOPMENT FINANCE

Tour

Chr. Rep. Bob Ness

Agenda: Tour of the Minnesota Department of Agriculture's laboratory facilities.

CAPITAL INVESTMENT

5 State Office Building

Chr. Rep. Jim Knoblach

Agenda: Overview of the Governor's 2002 capital budget - Peggy Ingison, Assistant Commissioner of Finance; Lee Mehrkens, Capital Budget Coordinator.

COMMERCE, JOBS & ECONOMIC DEVELOPMENT POLICY

200 State Office Building

Chr. Rep. Greg Davids

Agenda: HFXXXX (Sertich) Relating to background checks; Department of Labor.

HF2492 (Davids) Relating to insurance; regulating the reporting of insurance information; prohibiting credit scoring.

HF1868 (Davids) Relating to public employees; establishing a mandatory statewide health insurance plan for school district employees; providing for post-retirement health insurance

coverage through individual trust funds; establishing a labor-management team to design the insurance plan; appropriating money. Other bills may be added.

1:30 p.m.

Legislative Commission on Minnesota

Resources

300N State Office Building

Chr. Rep. Dennis Ozment

Agenda: Review the Issues Seminar and website survey results.

Decide on changes and adopt the Strategic Plan priorities for Trust Fund and for the Future Resources Fund.

Decide when to announce the RFP, and hearing selections meetings and hearings time frame.

Consider approval of \$382,350 in allocations for RIM Critical Habitat match from 2000 bonding, 1998 general revenue and Critical Habitat License plates proceeds.

WEDNESDAY, February 6

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

Basement Hearing Room

State Office Building

Chr. Rep. Jim Rhodes

Agenda: To be announced.

HEALTH & HUMAN SERVICES FINANCE

10 State Office Building

Chr. Rep. Kevin Goodno

Agenda: Consideration of a recommendation to the Capital Investment Committee on HHS-related proposals and legislation.

JOBS & ECONOMIC DEVELOPMENT FINANCE

200 State Office Building

Chr. Rep. Dan McElroy

Agenda: Presentation of local bonding projects.

TRANSPORTATION FINANCE

5 State Office Building

Chr. Rep. Carol Molnau

Agenda: HF2639 (Penas) Trunk highway improvements to year-round 10-ton status provided, bonds issued, and money appropriated.

MnDOT Communications Backbone Digital Conversion.

Department of Administration/MnDOT Exterior Repair.

HFXXXX (Holberg) Advance funding for inter-regional corridor development.

10:15 a.m.

CIVIL LAW

Basement Hearing Room
State Office Building
Chr. Rep. Steve Smith

Agenda: HF2596 (Holberg) Child custody provided for by de facto custodians and third parties.

HFXXXX (Tingelstad) Assisted reproduction.
HF2657 (Dawkins) Probate and power of appointment provisions modified.
HF97 (Greiling) Revisor's instruction to replace phrase concerning mental illness.

Note: Any agenda items not completed in the morning will be heard in 500S State Office Building beginning at 3 p.m.

ENVIRONMENT & NATURAL RESOURCES FINANCE

10 State Office Building
Chr. Rep. Mark Holsten

Agenda: Department of Natural Resources bonding requests.

HIGHER EDUCATION FINANCE

300S State Office Building
Chr. Rep. Peggy Leppik

Agenda: Reciprocity agreements update - Report by HESO.

Witness: Jack Rayburn, Research & Program Services, HESO.

HESO February State Grant Quarterly Report.
Witness: Dr. Robert Poch, Director, HESO.

HF2566 (Stanek) Antiterrorism grants provided to local law enforcement agencies for training and equipment, and money appropriated.

Witnesses: Rep. John Tuma, HF2566 Co-Author; Dr. Steve Franz, System Director for Disability/Student Life, MnSCU.

K-12 EDUCATION FINANCE

5 State Office Building
Chr. Rep. Alice Seagren

Agenda: Investigation of alternative compensation agreements.

TAXES

200 State Office Building
Chr. Rep. Ron Abrams

Agenda: Department of Revenue response to public hearing testimony and questions.
HFXXXX (Abrams) Department of Revenue Data Disclosure Bill.

HFXXXX (Abrams) Department of Revenue Technical and Administrative Changes Bill.
Other bills to be announced.

11 a.m.

Subcommittee of the Legislative

Commission on Planning and Fiscal Policy

400N State Office Building
Chr. Rep. David Bishop

Agenda: To be announced.

12:30 p.m.

AGRICULTURE POLICY

10 State Office Building
Chr. Rep. Tim Finseth

Agenda: Individual septic treatment systems in Greater Minnesota.

Rod Massey, Minnesota Pollution Control Agency (MPCA); Lisa Thorvig, Assistant Commissioner, MPCA; David Weirens, Association of Minnesota Counties.

COMMERCE, JOBS & ECONOMIC DEVELOPMENT POLICY

Basement Hearing Room
State Office Building
Chr. Rep. Greg Davids

Agenda: HFXXXX (Davids) Relating to insurance; changing the definition of insured.

HFXXXX (Entenza) Relating to consumer protection, no call list.

HF1413 (Tuma) Relating to insurance; no-fault auto; regulating basic economic loss benefits.
Other bills to be announced.

FAMILY & EARLY CHILDHOOD EDUCATION FINANCE

5 State Office Building
Chr. Rep. Barb Sykora

Agenda: To be announced.

LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building
Chr. Rep. Jerry Dempsey

Agenda: To be announced.

4 p.m.

EDUCATION POLICY

5 State Office Building
Chr. Rep. Harry Mares

Agenda: Informal meeting for a demonstration of the Department of Children, Families and Learning's CLASS website.

THURSDAY, February 7

8:15 a.m.

EDUCATION POLICY

200 State Office Building
Chr. Rep. Harry Mares

Agenda: To be determined.

HEALTH & HUMAN SERVICES POLICY

10 State Office Building
Chr. Rep. Fran Bradley

Agenda: HF2646 (Bradley) Prescription drug discount program established, and money appropriated.

HF2641 (Bradley) Health plan company regulation modified, prescription drug discount program established, Minnesota provider tax and tobacco tax provisions modified, malpractice punitive damage limit imposed, and money

appropriated.

HFXXXX (Haas) Small Group Reform Bill.

HFXXXX (Boudreau) Minnesota Fair Health Plan Contracting Act.

JUDICIARY FINANCE

Basement Hearing Room
State Office Building

Chr. Rep. Rich Stanek

Agenda: Presentation on CrimNet: Updates on the status of the projects funded during the 2001 legislative session.

TRANSPORTATION POLICY

5 State Office Building
Chr. Rep. Tom Workman

Agenda: HF1885 (Workman) Licensed motor vehicle dealer bonding requirements clarified.

HF2670 (Seifert) Trunk Highway No. 23 from St. Cloud to I-90 designated as a high-priority interregional corridor, and reconstruction directed as a multi-lane divided highway.

Bills to be added.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room
State Office Building

Chr. Rep. John Tuma

Agenda: HF2618 (Holberg) Requiring public employees to report certain unlawful actions to law enforcement.

Departments of Public Safety and Corrections departmental initiatives (Bill numbers and authors will be listed later).

ENVIRONMENT & NATURAL RESOURCES POLICY

10 State Office Building
Chr. Rep. Dennis Ozment

Agenda: Legislative Auditor Report "Recycling and Waste Reduction," Deborah Junod, Program Evaluation Division.

State Solid Waste Advisory Committee Report, Gene Merriam, Chair.

TAXES

200 State Office Building
Chr. Rep. Ron Abrams

Agenda: To be announced.

STATE GOVERNMENT FINANCE

300N State Office Building
Chr. Rep. Philip Krinkie

Agenda: Continuation of Governor's bonding recommendations from Tuesday's meeting: Department of Military Affairs; Department of Administration; Capitol Area Architectural and Planning Board; Amateur Sports Commission.

12:30 p.m.

**AGRICULTURE & RURAL
DEVELOPMENT FINANCE**

10 State Office Building

Chr. Rep. Bob Ness

Agenda: Language implementing the Governor's supplemental budget recommendations.

CAPITAL INVESTMENT

5 State Office Building

Chr. Rep. Jim Knoblach

Agenda: Overview of Department of Administration proposal for a combined public health/agricultural lab building.

**COMMERCE, JOBS &
ECONOMIC DEVELOPMENT POLICY**

200 State Office Building

Chr. Rep. Greg Davids

Agenda: HF2629 (Stanek) Relating to professions; allowing retired individuals licensed by the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design to use a retired professional designation.

HFXXXX (Gunther) Department of Trade and Economic Development/Department of Economic Security Merger Bill.

3 p.m.

THE HOUSE MEETS IN SESSION.

6 p.m.

**Legislative Commission on Pensions and
Retirement**

112 State Capitol

Chr. Sen. Dean Johnson

Agenda: Appropriate mechanism for the recovery of unpaid member and employer retirement plan contributions from closed charter schools (4th consideration). Review of First Special Session Laws 2001, Chapter 10, Article 11, Sections 10 and 12: PERA-General and PERA-P&F service credit proration provisions. SFXXXX/HFXXXX: Minneapolis Firefighters Relief Association; corrective provisions. SF XXXX-Johnson, D.E./HF XXXX-Mares: Supplemental thrift plans; authorization of plans funded from employee accrued benefits. Rule of 90 early normal retirement age and benefit tier; potential extension to post-June 30, 1989, hirees covered by TRA. Other items as added by the chair.

FRIDAY, February 8

8:15 a.m.

**GOVERNMENTAL OPERATIONS &
VETERANS AFFAIRS POLICY**

Basement Hearing Room

State Office Building

Chr. Rep. Jim Rhodes

Agenda: To be announced.

10:15 a.m.

HIGHER EDUCATION FINANCE

300S State Office Building

Chr. Rep. Peggy Leppik

Agenda: Overview of the MnSCU Curriculum Transfer/Collaboration Agenda.

Witnesses: Linda Baer, Senior Vice Chancellor for Academic and Student Affairs, MnSCU; Craig Froke, System Director for Program Collaboration, MnSCU.

K-12 EDUCATION FINANCE

5 State Office Building

Chr. Rep. Alice Seagren

Agenda: To be announced.

1:30 p.m.

**Legislative Commission on Minnesota
Resources**

300N State Office Building

Chr. Rep. Dennis Ozment

Agenda: Review the Issues Seminar and Web site survey results.

Decide on changes and adopt the Strategic Plan priorities for Trust Fund and for the Future Resources Fund.

Decide when to announce the RFP, and hearing selections meetings and hearings time frame.

Consider approval of \$382,350 in allocations for RIM Critical Habitat match from 2000 bonding, 1998 general revenue and Critical Habitat License plates proceeds.



Litter control

Maine plan would create deposit program for cigarette butts

It's a common occurrence — cigarette butts being flicked out of car windows or lying in many areas on the ground.

Some people find them repulsive, including a Maine representative who sought to take action.

Rep. Joe Brooks (D-Winterport) introduced a plan during the 2001 session that would have created "returnable tobacco products." It was ultimately snuffed out in the House 107-29.

LD258, which is based on similar legislation for bottles and aluminum cans, called for consumers to pay an extra \$1 per pack, but smokers would get their money back by recycling all butts in their pack at a redemption center. The plan called for each cigarette to have "5-cent deposit" printed on the filter.

Brooks said the state expected to collect \$100 million via the surcharge. He estimated

that one-half of the butts would be returned, meaning the state would receive approximately \$50 million to help operate redemption centers and cover costs associated with burying or incinerating the butts. Remaining monies would go to support state health programs.

During a May 1 floor debate Brooks said 2.3 billion cigarettes are sold in Maine annually. "We estimate that more than 10 percent of those end up on the streets, at the doorway, walkways, or sidewalks," he said. Brooks also said that of Maine's 60 annual forest fires, 10 percent are started by "illegally disposed of cigarette butts."

Brooks emphasized his plan was not a health bill. "This is a litter control bill."

Despite its failure, the bill has sparked further debate. Lawmakers are considering a

15-member panel, including legislators and tobacco industry representatives, to look at the problem.

Two cigarette companies spoke against the plan. Philip Morris representatives said to print the "5-cent deposit" in just one state would create problems logistically and financially. A spokesman for R.J. Reynolds told the *Bangor Daily News* that although cigarette litter is a serious problem, the additional price would fall disproportionately on lower-income residents, the majority of state smokers.

Brooks also said representatives in other states, including Alabama, California, Florida, and Hawaii, contacted him about his legislation.

(M. Cook)

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Minnesota Memorials



PHOTO BY ANDREW VON BANK

Korean War Memorial

A "Dear Abby" column helped in developing the Minnesota Korean War Veterans Memorial.

Located east of the Court of Honor along Old Columbus Walk on the State Capitol grounds, the monument cost about \$600,000 with an even match between the state and private funding. It was dedicated in September 1998.

Created by Art Norby, and landscaped by Bob Kost and Dean Olson, the memorial honors the 94,643 Minnesotans who served in the conflict, the 738 killed in action, the 1,500 wounded soldiers, and the 154 listed as missing in action.

The advice columnist wrote a piece in 1993 about fundraising for a Korean War memorial in Washington D.C. that spurred Ed Trabing into action. The veteran joined the Minnesota Korean Veterans Chapter 1 and quickly became its president. He then traveled the state talking to anyone or any organization willing to donate money.

By December 1997 enough private money had been accumulated to match the state grant.

Highlighting the memorial is a soldier approaching a hollowed-out silhouette in a rectangular arch representing those missing in action. The soldier was created in fine detail as Norby spent months consulting with Korean vets about every trait, such as what the fanny packs looked like, how the bayonet would have been carried, and the diameter of the helmet.

The pillars at the monument feature the names of those lost in battle. Along the pathway are key dates in the conflict, and the nations that took part in United Nations action.

(M. Cook)

Reflections

Tuesday is merely just the second day of the week in much of the work-a-day world. For some, it takes most of Monday to mentally switch from a relaxed weekend mode to one of concentrating on giving the best of oneself to work projects. Legislators operate somewhat differently.

Day one of the week for most lawmakers is Sunday. They begin to prepare for the upcoming week while many leave from such distant towns as Preston, Crookston, Virginia, and Ivanhoe to get to St. Paul in time for an early-Monday meeting.

Yet, when an annual session of the legislature is convened, Tuesday is usually the day that legislative business gets going.

When the first day of the 2002 session convened on Tuesday, Jan. 29, time-consuming task force committees on stadium issues, health and human services budgeting, and the governor's budget recommendations had already met to be ahead of themselves once session got underway.

For 19 of the last 25 years, a new session began at noon on a Tuesday.

Previous bodies also needed to resolve budget shortfall issues similar to those facing the 2002 Legislature.

In 1981, for example, the Legislature's main purpose once it convened on a Tuesday was to enact a short-term borrowing law so the state could meet its financial obligations.

On Tuesday, Jan. 12, 1982 it convened to balance the state budget and address cash flow problems in the regular session, before completing its work in a special session.

Tuesday, Jan. 5, 1993 was opening day for

a session that dealt mostly with budget bills, matters concerning finance for health and human services, higher education, and election campaign finance disclosure.

There is something about Tuesday that

relates to everyone, not just to the Legislature. *USA Today* noted last Tuesday, Jan. 29, that "48 percent of executives surveyed believe that employees are most productive on Tuesdays."

In state history, Minnesota's constitution was ratified and adopted on Tuesday, Oct. 13, 1857. Seven months later the state was admitted to the Union on a Tuesday — May 11, 1858.

Of no connected coincidence, another Tuesday highlight includes the birth of Dr. Martin Luther King, Jr. on Jan. 15, 1929 at noon, exactly one week after the Minnesota Legislature convened that year.

Even the tragedy of terrorist attacks on Tuesday, Sept. 11, 2001 likely will forever be a sad and surreal memory on any Tuesday in September from now on.

Yet, having fun will be around forever on Fat Tuesday at the end of Mardi Gras in New Orleans.

Lawmakers, and those for whom laws are made, can find

some distinct direction in Mitch Albom's best-selling book, *Tuesdays with Morrie*.

In Morrie Schwartz's words, "Remember what I said about finding a meaningful life? ... Devote yourself to loving others, devote yourself to your community around you, and devote yourself to creating something that gives you purpose and meaning."

—LECLAIR GRIER LAMBERT

Tuesday	
1	New Year's 01/01/04
8	01/08/07
15	01/15/02
22	02/22/03
29	01/29/06

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

MINNESOTA INDEX

Minnesota unemployment

United States unemployment rate in December 2001	5.4
In December 2000	3.7
In December 1991	6.9
In December 1981	8.3
December 2001 unemployment percent in Minnesota	3.7
In December 2001	2.8
In December 1991	5.0
In December 1981	5.9
Number of unemployed Minnesotans in December 2001	103,516
In December 2000	77,194
In December 1998	61,234
Highest county unemployment percentage in Minnesota (Clearwater)	11
Second highest (Kanabec)	9
Lowest county unemployment percentage rate in Minnesota (Rock)	2.2
Second lowest (Clay)	2.3
December 2001 unemployment rate in the Twin Cities metropolitan area, as percent	3.4
In Duluth/Superior	4.7
In St. Cloud	3.6
In Rochester/Olmsted County	2.4
In Northwest Minnesota	4.2
In Southwest Minnesota	3.8
Statewide job vacancy decrease from fourth quarter 2000 to fourth quarter 2001, as percent	43
Estimated job vacancies in Minnesota during the fourth quarter of 2001	80,000
As a job vacancy rate percent	3.1
Rate in December 2000	5.5
Estimated number of vacancies in seven-county Twin Cities metropolitan area	47,000
Job vacancy decrease in the Twin Cities from fourth quarter 2000 to fourth quarter 2001, as percent	52
Percent decrease in Greater Minnesota	22.1
Occupational group with highest job vacancy rate (health care support), as percent	6
Percent of state job vacancies that offer paid vacation	66
Health benefits	65
Retirement plans	59
Sick leave	51

Source: *Fourth Quarter 2001 Minnesota Job Vacancy Survey*, Minnesota Department of Economic Security, Minnesota Workforce Center Web site (www.mnwfc.org).

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

FEBRUARY 8, 2002
VOLUME 19, NUMBER 2

In this issue:

REGULATING TELEMARKETERS

ASSISTED REPRODUCTION PROTECTIONS, AND MORE

HF2801-HF3125

Session Weekly

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

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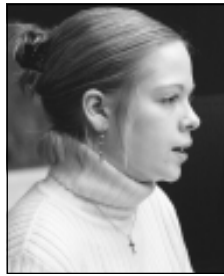
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On the cover: A lobbyist quietly walks down the State Capitol's self-supporting staircase during the second week of the 2002 session.

—Photo by Becky Ekstam

Halting unwanted calls

Proposed legislation would prohibit telemarketers calling those on do-not-call list

By **THERESA STAHL**

Saying they are tired of receiving unsolicited calls in their homes, members of the American Association of Retired Persons (AARP) came to the Legislature to show their support for a bill (HF2710) that would create a “do-not-call list” for solicitors.

The association represents people over age 50, but “unwanted telephone calls affect everybody,” said Don Tomsche, state advocacy chair for the Minnesota chapter of the organization.

However, he said, seniors are targeted by telemarketers. A 2001 survey from the organization reported that 56 percent of

be maintained by the Department of Commerce. Telemarketers who wish to solicit goods or services for purchase or rent would not be able to call those on the list.

“Why would we want to call people that don’t want to be called?” said bill sponsor Rep. Matt Entenza (DFL-St. Paul). Minnesotans, particularly seniors, he said “would like some decent privacy in their homes.”

To obtain a copy of the list, solicitors would have to pay \$15, but it would be free of charge to residents who wanted their name on the list, according to the plan. The list would be updated every six months. During committee discussion, the cost of purchasing the list was

The bill, which garnered committee approval and was forwarded to the House Civil Law Committee, received some opposition, but Entenza said he was working with those groups to reach a middle ground.

Laura Bordelon, representing the Minnesota Chamber of Commerce, said she doesn’t like the idea of imposing additional fees on businesses.

Opponents suggested Entenza is trying to create new legislation for a problem some say is solved by what is already in statute.

“People aren’t aware of all the protections currently available,” said Matthew Lemke, representing the Minnesota Retailers Association. He said that telemarketing is a major employer in the state. However, he couldn’t answer when asked how the legislation might affect telemarketing jobs.

Mark Joyce, representing long-distance provider MCI WorldCom, found fault with a clause in the bill that states telephone solicitors would be able to call those who have an existing business or personal relationship.

“This gives tremendous advantage to already established phone companies who want new business on local phone service,” Joyce said, adding the market is “very competitive.”

This language also means one’s local phone company could call to propose additional services or make other offers. Entenza said in this case, those who do not wish to be called must request to be placed on that company’s do not call list.

Telemarketers have been the cause of a lot of recent news in Rochester. Daryl Hildebrant, a crime prevention specialist with the city’s police department, said the subject of telemarketing has been in the papers and on the television news.

The latest scam, Hildebrant said, happens when a caller tells the person who picks up the phone that they have an emergency call and need to press 9 to receive it. If the person follows the instructions, they end up giving up their line to the caller who can then steal the line to make long distance calls for 45 minutes.

In the week prior to the meeting, Hildebrant’s department took more than 60 complaints about telemarketers. He said he’s given 50 talks in the past 13 months on telemarketers.

“Many victims are shut-ins,” he said. “And a sweet voice on the other side of the line is the only one they hear all day.”



PHOTOS BY TOM OLMSCHIED

Members of the American Association of Retired Persons fill many of the seats in the House Commerce, Jobs and Economic Development Policy Committee hearing Feb. 6. The committee was hearing a bill that would limit telephone solicitations, establish penalties, and require the maintenance of a do-not-call list.

telemarketing fraud victims were age 50 or older.

Tomsche, along with more than 40 Minnesota association members, came to the House Commerce, Jobs, and Economic Development Policy Committee meeting Feb. 6.

Under HF2710, the do-not-call list would

dropped from \$200 to \$15.

Do-not-call lists exist in 26 other states, and there has been discussion in Congress of creating a federal list. According to research conducted by AARP, there are approximately 140,000 telemarketing firms in the United States. Up to 10 percent may be fraudulent.



Plan for paws, people

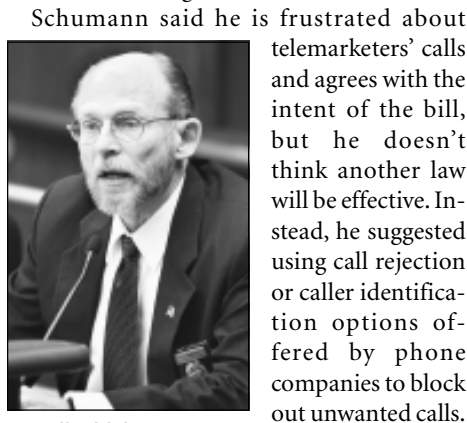
Report examined the pieces necessary to create a state zoo

Hildebrant said the bill will help police departments, but Rep. Fran Bradley (R-Rochester), who said he supports the bill, pointed out that all the acts stated are currently illegal.

"It makes it easier to prosecute a charge," Entenza replied.

If HF2710 were to become law, solicitors in all states would have to obtain Minnesota's do-not-call list and would be subject to penalty for violating its provisions. Under the provision, penalties would include a fine of up to \$2,000 per solicitation.

"You can pass all the laws you want, and it won't make a difference," said Mike Schumann, a small business owner who testified at the hearing.



Darrell Hildebrant, a crime prevention specialist with the Rochester Police Department, testifies Feb. 6 before the House Commerce, Jobs, and Economic Development Policy Committee, in support of a bill that would create a do-not-call list for solicitors.

Schumann said he is frustrated about telemarketers' calls and agrees with the intent of the bill, but he doesn't think another law will be effective. Instead, he suggested using call rejection or caller identification options offered by phone companies to block out unwanted calls.

Rep. Tony Sertich (DFL-Chisholm) said he would rather pass a law that does it for free "than push business, asking people to buy (extra phone services)." He added

that some people have their phone number blocked for security reasons.

Entenza said the do-not-call list "creates an easy system for people" to get rid of unwanted calls. It's one of many proposals coming forward this session in an attempt to answer consumer concerns.

AARP documents offer the following warning signs of illegitimate telemarketers:

- Phone calls from people who solicit charity donations, offer fantastic prizes, and no-risk investments, all with a fee that needs to be paid immediately;
- Phone solicitors that require you to courier money or give a credit card number to claim your prize; and
- Unsolicited phone calls from people who seem to know a lot about you and are interested in helping you win the big prize, or get rich from a no-risk investment. 🐾

The Minnesota Zoo in Apple Valley opened in May 1978 with great fanfare, but many priorities that make the zoo what it was were laid out more than a decade earlier.

In 1964 attendance at zoos in the United States was more than double the combined attendance of professional football and baseball at the time. For many Minnesotans that meant a trip to St. Paul to see Sparky the Seal and friends.

"Even the small and inadequate St. Paul Como Zoo is drawing yearly about 1 million visits, with well over half the visitors from outside the city of St. Paul," said a 1966 report from the Citizens League of Minneapolis.

The report was commissioned to look at the creation of a major zoological garden in the Twin Cities metropolitan area.

It said the Twin Cities was the only major metropolitan area in the country to either not have or be planning a major zoo.

The 26-member Metropolitan Zoo Committee, headed by Minneapolis lawyer John Mooty, said an expansion of the Como Zoo would not provide the facilities necessary to meet the demands of zoo-going Minnesotans. The committee determined the eight-acre facility could not be expanded to even the 26 acres used for parking at a new zoo in Milwaukee.

The committee also said the Como Zoo needed to be modernized, though any changes must be consistent with the early development of a major metropolitan zoo.

The committee turned its focus to a new zoo and gave four reasons why such a facility was needed:

- An outstanding zoo is a major tourist draw and provides great economic benefit for the area and region;
- A top quality zoo provides an important part of the educational and cultural needs of the people in a metropolitan area;
- A zoo is a bargain in public recreation. When capital and operating costs and potential for zoo-generated income from admissions are calculated, a zoo compares favorably to things like museums, public

auditoriums and stadiums; and

- A good zoo helps create a favorable image for a metropolitan community.

The report further suggested a quality zoo is more than a park with a few animals and other amusements.

"A good zoo is not a crowded, close, noisy building with caged animals on display," the report said. "It is a place where wildlife can



The Minnesota Zoological Garden pictured in 1992.

be displayed in an attractive and natural setting to educate and entertain people at the same time."

It also noted things such as a children's area, educational facilities,

and interpretive settings. A key to making that happen is expert staff, imagination, and money, the report said.

The group expected zoo attendance to be around one million people annually in the beginning with an increase to about two million per year by 1980, generating about two-thirds of the necessary operating revenue.

To cover the remainder the report suggested a small tax levy on the then five-county metropolitan area (Anoka, Dakota, Hennepin, Ramsey, and Washington counties). Under the plan each county would levy an additional \$333,000 annually. The idea was this would be a regional facility benefiting everyone in the area and that counties needed to work together to make a new zoo reality.

Ultimately the 1969 Legislature allocated \$500,000 to develop a master plan for a zoo site, though it took a couple of tries to pass the plan. One year later Dakota County donated 500 acres in Apple Valley for the zoo. After funding for construction failed by one vote in 1971, the 1973 Legislature approved more than \$25 million in bonds and additional matching funds for construction.

Today, the Minnesota Zoo has about 2,300 animals on site and attracts more than one million people per year. Its operating budget is about \$18 million a year, \$7.4 million of which comes from the state.

(M. Cook)

Photo from *Face to Face*, Minnesota Zoo annual report 1992.

★ AGRICULTURE

De-icing product pitched

Minnesota corn farmers may benefit from a bill that encourages the state Department of Transportation (MnDOT) to use corn-derived de-icing solution on state highways.

Members of the House Transportation Policy Committee approved the bill (HF2589) Feb. 5.

Rep. Bob Ness (R-Dassel), bill sponsor, said using the corn-based solution would be better for the environment and would benefit Minnesota corn growers.

Although some committee members said it isn't the Legislature's role to decide which product an agency uses, others said giving the department a gentle nudge toward a home-grown product could do no harm.

The bill would require the department to use corn-derived de-icing solution whenever it is "economically feasible, environmentally beneficial, and consistent with public safety."

Norm Ashfeld, the south region superintendent for MnDOT's metro division, said the department is not promoting the legislation because it doesn't want options to be restricted.

The department has been testing about five different de-icing solutions, one of which is Caliber, the corn-derived solution, Ashfeld said.



Steve Bytnar of Glacial Technologies tells the House Transportation Policy Committee about the effectiveness of corn-based highway de-icing solutions during a Feb. 5 meeting.

"We don't want to limit ourselves to just one product," he said.

Rep. James Clark (R-New Ulm) said the language in the bill leaves plenty of wiggle room for the department to choose what solution to use if corn-derived de-icer is not the best choice.

"This really is no kind of mandate," he said. "Since we're in the transportation committee, you can drive a truck through this language."

"Outstate, you've got a lot of hurt going on," Clark said, referring to Minnesota farmers.

Rep. Ted Winter (DFL-Fulda) agreed that the bill could benefit rural Minnesota. He referred to a similar law the Legislature passed in 1995 encouraging the state to use soy-based ink for its printing. That created demand for the ink and lowered the price, he said.

The bill now goes to the House Transportation Finance Committee.

★ BONDING

Planetarium funding sought

Claiming Minnesotans will be able to reach for the stars at the new Minnesota Planetarium and Space Discovery Center, center proponents requested legislators reach for the state pocketbook to help fund the project.

Rep. Margaret Anderson Kelliher (DFL-Mpls) is requesting \$30 million in this year's bonding bill to construct and equip the new planetarium. Kelliher, sponsor of HF2542, presented the legislation to the House Jobs and Economic Development Finance Committee Feb. 6.

Of the project's \$34.3 million budget, approximately \$16 million would be spent on construction, \$13.5 million on equipment and exhibits, and \$4.7 million on design fees, according to planetarium documents.

The governor did not recommend bonding funds for the project. The city will likely not go through with the planetarium project if it does not receive state funding.

Minneapolis Mayor R.T. Rybak said the planetarium is one of the projects of highest priority for the city. If the project receives state funding, Rybak said the planetarium would be built as part of the new Minneapolis library.

"It is time to bring a facility that promotes astronomy and space science education in Minnesota up to the present and position it to take us into the future," wrote Dennis Brinkman, director of St. Paul Public Schools, in a letter to the Legislature.

The existing planetarium, which opened in

1961, has had few improvements over the years, whereas astronomy and space science have advanced tremendously, Brinkman said in his letter.

Planetarium Director Bob Bonadurer said he expects the new facility to draw 250,000 people annually. Now, it draws around 75,000 people per year.

The new planetarium will feature a 250-seat Planetarium Theater with a full-dome video system; telescopes to study live satellites; virtual environments; and a traveling Star Lab to bring astronomy education to communities across Minnesota.

Rep. Karen Clark (DFL-Mpls) pointed out with all the lights in the inner city, it's difficult to see the stars at night. "It's an important opportunity for some of our urban kids," she said.

The new planetarium would be located near the current one, and a final decision on its exact location is anticipated to be made in the next six weeks, Kelliher said. The existing planetarium is scheduled to be torn down this fall, with construction beginning shortly thereafter. It is expected to be completed in 2005.

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

★ BUDGET

Fort Snelling could close

To meet a \$2 million budget reduction request, the Minnesota Historical Society is proposing to shut down Fort Snelling for several years. Budget cut proposals also include closing the Forest History Center in Grand Rapids and Grand Mound Historic Site near International Falls, reducing several programs, grants, and site budgets, and cutting staff.

"Our plan is painful," said society Director Nina Archabal, "But I think it is responsible."

Archabal presented the society's budget plan to the House Jobs and Economic Development Finance Committee Feb. 4.

Legislators questioned the need for closing Fort Snelling, which drew nearly 100,000 people in fiscal year 2001, many of them school children. Archabal explained that the site is in need of many capital improvements and new and restructured programs. For those reasons, she said, it makes sense to close the site. She added that Fort Snelling would likely reopen time for the state's sesquicentennial celebration in 2008.

The society would save \$737,000 in years



Nina Archabal, director of the Minnesota Historical Society, explains the reasons for the recommended closing of Fort Snelling during a Feb. 4 hearing of the House Jobs and Economic Development Finance Committee. Historical Society Executive Assistant David Kelliher, right, also answered questions from committee members.

2002 and 2003 together, and \$605,000 each in 2004 and 2005. The savings amount is lower in the first two years because of severance pay and mothballing, according to David Kelliher, executive assistant to Archabal.

Because of its popularity, Rep. Michael Paymar (DFL-St. Paul) asked Archabal to “think through” closing Fort Snelling, and possibly only limit services, which would reduce the cost of mothballing.

Other proposed cuts include:

- Reducing the public programs at Lower Sioux Agency near Redwood Falls and the Jeffers Petroglyphs site near Comfrey;
- Limiting public access at the Alexander Ramsey House in St. Paul to November and December;
- Cutting 120 staff positions — including 37 full-time positions with the rest part-time;
- Reducing grants to county and local historical organizations by 50 percent; and
- Cutting history center library and museum hours.

The committee took no action on the proposal at the meeting.

BUSINESS



Cosmetology licensing may be cut

In a rare move, Rep. Dan McElroy (R-Burnsville) threatened to subpoena the Ventura administration for a list of proposed cuts for the Department of Commerce.

The issue was prompted by Commerce Commissioner Jim Bernstein’s testimony before the House Jobs and Economic Development Finance Committee Feb. 4 that cosmetology enforcement was proposed for elimination.

“Why cut this one?” asked McElroy, who serves as committee chair.

Bernstein explained the department didn’t want to cut cosmetology.

“We looked at all functions, what was most important, and what was least important to the public,” he said. “Cosmetology had the least impact on the public based on number of consumer complaints.”

McElroy then requested a list of other proposed cuts. Bernstein said he was “not authorized to say,” by instruction of Finance Commissioner Pam Wheelock.

McElroy said he has made many verbal and written requests for the information. Before making any cuts, he said, he wants to see what else was considered.

Sue Falk, representing the National Cosmetology Association of Minnesota, said the risks of not licensing include having poorly trained technicians using dirty instruments; viral infections including the AIDS virus; toxicity from acrylic and lacquered fumes; and transfer of Hepatitis B and C transmitted by razors, needles, and scissors.

“Sanitation and disinfection procedures are a must,” Falk said.

Bruce Smith, a hairstylist and educator, said cosmetologists’ licensed, professional status would be at risk.

“Liability insurance would be in jeopardy,” he said, and there would be no one to oversee health and safety education.

A cosmetologist is charged \$45 for a license, and \$30 for a renewal, which is required every three years. To be approved for a license, cosmetologists must complete 1,550 hours of training, pass the practical exam administered by the school they attended, and pass the written state exam.

Cosmetology schools pay \$900 for an initial license and a renewal fee of \$750 every three years. Schools are required to provide corporate filing, partnership agreement, or certificate of assumed name; provide a copy of the curriculum; have a \$10,000 surety bond; show proof of professional liability insurance; have signed authorization by city zoning and

building inspectors; and have certification that a licensed manager is employed at the salon.

McElroy said a vote would be taken later in the week, but by Feb. 7, when this issue went to press, no vote had been taken. A two-thirds vote by the committee would be needed to issue a subpoena.

According to the nonpartisan House Research Department, the House has never subpoenaed anyone except witnesses in ethics proceedings, which is a routine formality.

CRIME



Tracking offenders

Minnesota may soon be better able to keep tabs on parolees and probationers who move into the state.

A joint House-Senate Crime Prevention committee heard testimony Feb. 1 on a bill that would enter Minnesota into a new agreement with other states regarding supervision of adults on parole or probation. The plan was later approved by the House Crime Prevention Committee at its Feb. 7 meeting.

Minnesota is currently a member of an interstate compact that was adopted in 1939, but noncompliance and other problems have created demand for a new one.

Rep. Rich Stanek (R-Maple Grove) sponsors HF2662 in the House.

According to the National Institute of Corrections, there are more than four million people on parole in the United States and about 250,000 of them will cross state lines this year, he said.

Mike McCabe, director of the Midwestern Council of State Governments, said a number of states were out of compliance with the terms of the compact, allowing parolees and probationers to slip through the cracks when moving between states. Other states were not aware of their obligations as a member of the compact or were ignoring their responsibilities, he said.

And since the old compact did not include any penalty for states that were not following the rules, there was nothing other states could do about it.

The new compact would bring all states back into compliance, and provide a penalty for those that do not comply, McCabe said.

The agreement will not be adopted until at least 35 states have passed laws adopting the language of the compact. Twenty-five states have joined, and 20 others are considering legislation this year, so it is likely the compact will be effective sometime this spring, McCabe said.

Each member state would then have one

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vote in a national commission that will oversee the compact and create rules for member states.

Sheryl Ramstad Hvass, commissioner of the state Department of Corrections, said it is important for Minnesota to become a voting member of that oversight commission.

"We want to be at the table for the rulemaking process," she said. "We don't want to be on the sidelines while 35 of our sister states make the rules."

The plan now goes to the House Governmental Operations and Veterans Affairs Policy Committee.

★ EDUCATION

Marriage in health class

Students in health classes may soon be discussing the effects of sexual activity before marriage and the importance of matrimony.

Rep. Sondra Erickson (R-Princeton) is sponsoring a bill (HF2660) that she said would point to the institution of marriage because current curriculum is devoid of such information. The House Education Policy Committee approved the bill Feb. 7. It now goes to the House floor.

Ashley Gullikson, a sophomore at Anoka High School, told committee members she was "dissatisfied" with her health class.

"We didn't talk about the physical and emotional effects if we have sex outside of marriage," she said. "I think we should talk about it more."

Gabe Wicklund, an Anoka senior, said she has friends that take sex lightly.

"Society tells us that love equals sex," she said. "We're not taught any different. If we had marriage education, we'd have fewer pregnancies, abortions, and divorces. Peer pressure would go down."

Rep. Carlos Mariani (DFL-St. Paul) said he was concerned that if the bill became law, "We may not be able to pursue our goals of teaching about STDs (sexually transmitted diseases)."

Erickson said studying marriage will complement the study of STDs and the relationship between the two.

Rep. Peggy Leppik (R-Golden Valley) proposed to amend a section of the bill that reads: "Each district must have a program that includes ... educating students that sexual activity outside of the context of marriage is likely to have harmful emotional, physical, and social effects."

Leppik wanted to change the language so that it read "sexual activity by minors," because, she said, without it, the statement is "not necessarily true."



Gabe Wickland, a senior at Anoka High School, testifies before the House Education Policy Committee Feb. 7 in support of a bill that would modify health education programs to include the promotion of marriage.

Rep. Alice Seagren (R-Bloomington) said she opposed the amendment because even for adults, the consequences can be sexually transmitted diseases or unwanted pregnancies.

Erickson said grants for abstinence education require the language.

The amendment failed by a 16-13 committee vote.

Another part of the bill brought into question reads: "...marriage is the foundational social institution in society."

"What does this say to people who choose to be single, are widowed, or are in abusive relationships?" asked Rep. Mary Jo McGuire (DFL-Falcon Heights).

"We do a disservice to our students if we don't include that marriage is foundation of all societies in this world," Erickson replied.

Erickson said there is no cost attached to the bill, and that the state's education department may have to make some changes to balance the teaching in health education, but "that is part of their job."

New testing requirements

The House Education Policy Committee was briefed Feb. 5 on some of the new testing and compliance requirements established under the federal Elementary and Secondary Education Act. The legislation was signed into law Jan. 8.

Among the changes in the new law are annual testing requirements. Congress

authorized \$490 million for grants, as part of the law, to help states comply with the new requirements.

Jessie Montano, assistant commissioner with the Department of Children, Families and Learning, testified that Minnesota was already fulfilling many of the new required elements.

In the area of content standards, the federal act requires that standards be the same for all students, the standards must identify specifically what students should know and be able to do once they have achieved the standard, and the standards must encourage higher order thinking skills and problem solving.

All of Minnesota's current standards do meet these requirements, Montano said.

All students, as defined by the new law, includes special education students, those with limited English language proficiency, as well as those coming from various racial and ethnic groups and socio-economic standings.

In addition, there are a few changes to the Title I requirements for schools. Title I specifically targets students who are disadvantaged. Minnesota receives about \$113.5 million a year to help those students achieve.

Previously, in order to receive the funds, Title I schools were required to adopt standards in reading/language arts and math. The new law requires all schools in districts that accept Title I funds to establish standards for reading/language arts, math, and science by 2005.

Among the new testing and technical requirements are the following:

- Reading and math tests must be given once in grades 3 to 5, 6 to 8, and 9 to 12 (the state is already testing in grades 3 to 5 and 9 to 12);
- Annual English language proficiency tests must continue to be given in grades 3 to 12;
- Early literacy assessments in kindergarten through second grade;
- Annual math and reading tests in all grades from 3 to 8, beginning in 2005 (the state now tests once in grades 9 to 12);
- Annual science tests beginning in 2007, which must be given once in grades 3 to 5, 6 to 8, and 9 to 12;
- The same tests must be used to evaluate all children at the same grade level;
- The tests must produce valid results, provided to each individual student and returned prior to the beginning of the next school year;
- Tests must involve multiple measures, such as both multiple choice and open-ended questions; and

- Results must be reported by gender, race and ethnic group, language proficiency status, migrant status, disability status, and economic disadvantage.

Exceptions and accommodations are allowed for some students, under the law, Montano said.

The law also requires that states participate in the National Assessment of Educational Progress every two years, by testing in reading and math at grades 4 and 8. This measure will help states evaluate how they perform compared to one another.

★ ELECTIONS

Ensuring local representation

The 2000 census provided valuable information for various governing bodies in the state that are redrawing district boundaries.

The Legislature is working to establish new legislative and congressional districts. Cities will also draw new ward boundaries based on the population figures, and there is a chance that new boundaries may leave residents in some cities without representation because of the length of city council terms.

Rep. Phyllis Kahn (DFL-Mpls) expressed her concern to the House Governmental Operations and Veterans Affairs Policy Committee Feb. 1. The committee approved the bill (HF2593) Kahn is sponsoring to address the issue.

The bill would require council members with four-year terms who are elected by ward to run for a new term in 2003.

She said that a few years ago the city of Minneapolis went to four-year terms for city council members. Council members were elected last November under current ward boundaries and won't run again until 2005. However, when those boundaries change later this year, a worst case scenario would place two council members in the same ward, and some residents would have no representative.

Kahn said that in Minneapolis there is a 26 percent difference between the ward that has lost the most people in the past decade and the ward that has gained the most residents in the past 10 years.

Other than legislation, she said there are three other ways for Minneapolis to deal with the potential problem.

The city council by a unanimous vote could change its charter to require an election in 2003, city voters could attempt to change the charter by bringing the issue to a vote at the next election, or someone could file a lawsuit. Kahn said she heard the last option is likely if nothing else occurs.

The bill only applies to home rule charter

cities that have wards. Ann Higgins, an inter-governmental relations representative from the League of Minnesota Cities, said preliminary research shows that of the 106 charter cities in the state, 75 do not elect by wards.

Rep. Tony Kielkucki (R-Lester Prairie) questioned why the state should get involved when a city can choose to address the problem by changing its charter.

Kahn said the city of Minneapolis has shown no inclination to do so, and that the concept of a representative democracy is important.

She offered a successful amendment exempting cities with staggered city council terms and cities where the change in boundaries has historically been small.

The bill now moves to the House Local Government and Metropolitan Affairs Committee.

★ ENVIRONMENT

Water monitoring questioned

The state has a number of agencies that monitor water quality, but it lacks "overarching policy" direction, concluded a Minnesota Planning study presented to a House committee Feb. 1.

Water Planning Director Gretchen Sabel, one of the report's authors, put it more simply when she addressed a joint meeting of the



Gretchen Sabel, water planning director with the Minnesota Planning agency's Environmental Quality Board, presents a briefing on the State Water Reorganization Project to a joint meeting of the House Environment and Natural Resources Policy and Finance committees Feb. 1.

House Environment and Natural Resources Policy and Finance committees: "We're lacking a brain to tell all these hands what to do."

Among the many agencies that have water quality oversight are the state's departments of Agriculture, Health, and Natural Resources, as well as the Pollution Control Agency and the Minnesota Geological Survey.

The water program study, ordered by the 2001 Legislature, found that although the various agencies appear to be working cooperatively, Minnesota would be better served if it had a standardized approach to collecting water quality data.

Further, the authors of the report recommended that the Legislature establish a legislative water commission or other task force charged with setting statewide policy and reviewing all of the agency budgets.

Minnesota had such a commission beginning in 1989 with the passage of the Groundwater Protection Act, but the law called for the panel to sunset in 1996.

Sabel pointed to water management plans in other states as possible options for Minnesota. In Wisconsin, for instance, the state's Department of Natural Resources has established a protocol for all the agencies to follow when gathering and processing water quality data.

The planning report drew criticism from Rep. Jean Wagenius (DFL-Mpls) for focusing exclusively on "process" questions.

"There's nothing here about outcomes," she said. "We can't tell our citizens the state of their water."

Rep. Dennis Ozment (R-Rosemount), the policy committee chair, said he was concerned that although it appeared the state and local agencies were gathering a lot of data, the information wasn't being analyzed effectively. He called for another meeting to discuss the report's findings and to set short- and long-term goals for water policy.

Park repair

The Department of Natural Resources is launching a major initiative to restore and improve Minnesota's 80 state parks. Officials appealed to the House Environment and Natural Resources Finance Committee on Feb. 4 to support its \$32 million capital improvement request.

DNR Deputy Commissioner Steve Morse said a number of the state parks have aging facilities and are in need of new sanitation systems and improved roadways.

Morse also predicted an increase in the number of visitors to state parks this summer, which would further strain many of the Depression-era facilities.

In wake of the terrorist attacks, tourism experts are predicting that many people will take trips to tourist spots in their own states, instead of traveling across the country.

"People are talking about recreating on a tank of gas," he said.

Although it's too early to draw conclusions from summer reservations, Morse said, inquiries about state parks have increased 39 percent since last year.

The highlights of the DNR proposal include:

- \$8.3 million for new sanitation buildings, contact stations, and visitor centers;
- \$6 million to improve roads, bridges, and trails;
- \$4.7 million to improve the park utility systems;
- \$4.1 million to restore historic park buildings and other structures;
- \$3.5 million to repair other park buildings;
- \$2.9 million to maintain campgrounds, picnic, and swimming areas;
- \$1.3 million to restore prairies, forests, and wetlands in park areas; and
- \$1 million to purchase land near Blue Mounds State Park in southwestern Minnesota.

Morse called on legislators to fund the projects this session before they incur additional costs. He said state parks currently have \$65 million in deferred maintenance expenses.

Although he expressed support for the department's request, Rep. Tom Osthoff (DFL-St. Paul) pressed Morse about DNR initiatives in the Twin Cities metropolitan area and on those targeted to minority communities.

In response, Morse said most of the department's resources were geared toward Greater Minnesota. He added that the DNR had launched an inner-city fishing program and had developed programs for Southeast Asian immigrants.

Morse appealed to the committee again on Feb. 6, outlining a range of bonding proposals, including funding requests for field office renovations, fish hatchery improvements, reforestation programs, the metro greenway and natural area restoration initiative, and stream protection restoration projects.

The committee has taken no action on the proposal.

Identifying faulty systems

Along with stepped up enforcement, Minnesota needs a uniform code that more clearly defines faulty septic systems that threaten to pollute the state's groundwater, a sewage treatment contractors group told the House Agriculture Policy Committee Feb. 6.

At the hearing, Lisa Thorvig, assistant

commissioner of the Minnesota Pollution Control Agency, said that's a tall order for an agency that has seen significant budget cuts and a reduction in the number of staff devoted to the agency's individual sewage treatment program.

But Thorvig maintained that the agency considers the program a high priority.

"Citizens tell us that the quality of water is their number one priority," she said.

Bernie Miller, representing the Minnesota On-Site Sewage Treatment Contractors Association, said the industry wants to work with the state and local governments to ensure a high standard of quality since installers often get blamed when septic systems fail.

Committee members debated the state's role in managing the septic systems and questioned the science used by the PCA to determine whether a septic system poses a threat to the groundwater.

Rep. Torrey Westrom (R-Elbow Lake) criticized the association's recommendation to standardize installation and enforcement practices.

Westrom argued that the process of identifying bad septic systems needs to be overhauled to test "true failures." He said measuring a system's distance from the water table doesn't conclusively prove that it pollutes.

"I'm worried about your proposal for all this enforcement," Westrom said. "The PCA doesn't even know what works yet. Let's not come up with a big billy club."

Miller countered that local governments and the PCA should enforce violations that they know to be detrimental to the environment.

One way the PCA pinpoints failing systems is by looking at the bottom of a drain field to see if it's too close to the water table or bedrock, said Mark Wespetal, who works with the agency's water policy and planning division.

Rep. Leslie Schumacher (DFL-Princeton) said that adequate enforcement is particularly important in areas of growth, pointing to her own district that has seen increased development.

She said local governments need to be willing to take on the responsibility of inspecting septic systems if they give the go-ahead for more development.

"We have an incredible problem here," Schumacher said. "We need to invest in the PCA so it can help the counties."

★ GOVERNMENT

Rules changes

A 2001 law changed the state's rulemaking process in an attempt to streamline the complex procedures while making the process more accessible for the people affected by various agency rules.

The House Governmental Operations and Veterans Affairs Policy Committee considered another bill (HF2779) Feb. 4 that aims to further simplify the process.

The committee took no formal action on the bill, but Rep. Jim Rhodes (R-St. Louis Park) asked Rep. Eric Lipman (R-Lake Elmo), the sponsor of the measure, to address concerns brought up during the hearing. Rhodes said the bill would be discussed further at a later hearing.

A 2000 law established a Rules Reform Task Force to make recommendations on how the state could improve its rulemaking process.

Part of the 2001 law, adopted from the task force's recommendations, makes it easier for agencies to repeal obsolete rules by identifying them in its annual report and publishing a legal notice notifying those that might be affected by the repeal. If 25 or more people request in writing that they want a more thorough examination, the customary rulemaking process would need to be followed.

Lipman said that HF2779 would extend that process to "noncontroversial" rules as well. He said many agencies do not take the time to periodically review rules because the process to repeal rules in existing law is so complex and cumbersome.

However, the bill does not define what rules would be deemed noncontroversial, an issue which Rhodes suggested should be clarified before the committee acts on the bill.

The bill also establishes a notice and comment process for adoption of rules.

Under the measure, agencies would not be required to draft a statement of need and reasonableness or go through the public hearing process after an administrative law judge approves a plan for notifying people who may be significantly affected by rule changes.

If 25 people request that the existing procedures be used, agencies would be required to follow the procedures that are in existing law.

John Knapp, representing the Minnesota Business Partnership, and a 2000 rules task force member, spoke against those changes. He said that because rules have the force of law, passing them should be at least as difficult as it is to pass legislation. He said the bill would shift the burden away from state agencies that currently have to show why the rule is needed, and onto the public who would have to show that the rule was not needed.

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Creating a new city

A new, historic city would be formed under a measure approved by the House Local Government and Metropolitan Affairs Committee Feb. 6.

HF2933, sponsored by Rep. Doug Stang (R-Cold Spring), would allow the cities of Rockville and Pleasant Lake to consolidate with Rockville Township.

"This is a very good example of local governments working together and doing what we expect them to do, to provide services to taxpayers," Stang said.

Rockville Mayor John Koerber said the consolidation will enable the community to provide better services to residents while cutting taxes "and maintaining the quality of life we enjoy."

"This will allow us to control growth aspects and develop the commercial base," he added.

He said that the three communities will soon hold public hearings on the proposed consolidation and a referendum on the matter is being planned.

However, under current law consolidation is allowed to occur between cities but not between a city and a township.

Rep. Jerry Dempsey (R-Red Wing), the committee chair, said he thought the reason townships and cities are not allowed to now consolidate is because they function in different ways. He added that if the consolidation occurs it would probably be the first of its type in state history.

Rep. Mark Buesgens (R-Jordan) offered a successful amendment to eliminate a section of the bill that would have prohibited annexation of any town land without the approval of the town board during the consolidation process.

Buesgens said the prohibition would take away rights from property owners that they have under current law.

Stang, who supported the amendment, said the prohibition was included because the township is located near St. Cloud, and there was some concern of that city annexing part of the township during the consolidation process.

Koerber said the name of the new city would be Rockville and its population will be around 2,400.

The bill now goes to the House floor.

Discounting drugs

The House Health and Human Services Policy Committee approved a bill Feb. 7 that calls for a statewide prescription drug discount program for Minnesotans.

The bill provoked considerable debate as more than 100 senior citizens filed into the committee room to hear testimony.

Under the program, those who qualify could purchase discounted drugs at participating pharmacies. In turn, pharmacies would be reimbursed through a manufacturer rebate program administered by the state.

Opponents of HF2646, sponsored by Committee Chair Rep. Fran Bradley (R-Rochester), argued that the discount program would only serve as a "Band-Aid solution to the problem."

Meanwhile, supporters said it would mark an important first step toward helping the state's senior citizens purchase prescription drugs without facing financial hardship.

"We can't afford to wait," Bradley said, adding the bill attempts to "put the brakes" on the escalating drug costs.

Opponents, however, including representatives of the medical and pharmaceutical industries, argued that the solution to the problem lies at the feet of federal lawmakers who have the power to modify Medicare and establish a drug benefit.

Under the bill, a Minnesotan would be

eligible for the discount program if he or she met the following requirements:

- is a permanent resident of the state;
- not be enrolled in a state health care or another prescription drug program;
- not be enrolled in and have a drug coverage through a private health plan or through Medicare; and
- have a gross household income that does not exceed 250 percent of the federal poverty guidelines, which would be \$21,475 a year.

Whether the bill should have a means' test sparked the most contentious debate. The Minnesota Senior Federation, one of the strongest proponents of the bill at the hearing, argued for striking the income exemption.

Rhoda Meyer of Minnetonka said that prescription drug expenses take up a significant portion of her budget, costing her thousands of dollars.

"Because of the high costs, I haven't been able to enjoy my retirement," she said.

However, an amendment to strike the means' test and one to replace it with an income limit of 300 percent of federal poverty guidelines failed.

Bradley said the means' test was necessary to avoid unduly burdening businesses, adding that many local pharmacies are already financially strapped.

The bill now goes to the House Health and Human Services Finance Committee.

Assuring patient safety

Temporary nursing agencies would be required to register with the state and secure financial safeguards, under a proposal heard by the House Health and Human Services Policy Committee Feb. 5.

Sponsored by Rep. Fran Bradley (R-Rochester), HF2664 would require that both independent contractors who provide nursing homes with temporary staff and "in-house" temporary nursing pools carry a surety bond, which are issued to companies to limit liability.

Additionally, the agencies would need to maintain workers' compensation insurance and file with the state Department of Revenue. The annual registration fee for the agencies would be \$891.

The nursing temporary agencies would also have to show documentation verifying that employees meet the necessary licensing and training requirements for the position they will be filling, under the proposal.

The state's nursing shortage has forced many nursing homes to increasingly rely on temporary workers to care for patients.

John Hustad represents the Minnesota



Kate Stahl, right, Juanita Sarkas, center, and Rhoda Meyer, left, members of the Minnesota Senior Federation, testified before the House Health and Human Services Committee, Feb. 7 in favor of a bill that would establish a discount drug program.

Health and Housing Alliance, which primarily includes nonprofit nursing homes. He said that some temporary agencies have operated with shaky business practices.

"We have found that there are some temporary agencies who, for a lack of a better phrase, operate out of the trunk of their car," Hustad said. "They don't have permanent business addresses. In some cases, employees have found out that they are really not employees."

Some temporary staff have been required to pay thousands to the Internal Revenue Service after their employer failed to properly report their earnings, Hustad said.

Rep. Luanne Koskinen (DFL-Coon Rapids) said the agencies need to be regulated with laws that have "some teeth."

Meanwhile, Rep. Kevin Goodno (R-Moorhead) said current state law already provides for sufficient penalties. Instead, he said, the focus should be on reporting violators to the Internal Revenue Service and the Department of Labor.

Randy Morris, who represents the Staffing Association of Minnesota, said that the nursing temporary agencies don't oppose the registration requirement. However, agencies have objected to a law passed last year that caps their rates at 150 percent of the wages earned by permanent workers, he said.

The committee took no action on the bill, and it will discuss it further at a later date.

Expanding facilities

Two funding requests for expanded health facilities were pitched to the House Health and Human Services Finance Committee Feb. 4.

Urging legislators to support a new \$84.6 million building for the state's Health and Agriculture department laboratories in St. Paul, health officials said that current facilities are too cramped and prone to security problems. The amount is part of Gov. Jesse Ventura's bonding request. The committee took no action on the proposal.

The fall 2001 anthrax scare on the East Coast has heightened awareness of vulnerabilities at the Minneapolis facility that houses the state's public health labs.

For instance, the process for receiving samples of dangerous biological agents needs to be revamped to prevent contamination, said Dr. Norman Crouch, head of the public health laboratory. Currently, samples are walked through a mailroom, raising concerns about the potential spread of the disease.

"There's virtually no storage space for hazardous materials," Crouch said.

The new building would be located at Lafayette Park on land donated to the state.

Committee members also considered a

\$3 million bonding proposal for a "high performance office building" in St. Paul. Rep. Kathy Tingelstad (R-Andover) is sponsoring the bill (HF2900).

Under the plan, the American Lung Association of Minnesota is partnering with the city of St. Paul to establish the Healthy Design project, a 60,000 square foot facility that would serve as a "living laboratory" to study ways to improve indoor environments.

The site would include walls with "peel-back sections," allowing builders to study the best ways to reduce energy costs and improve building ventilation.

Indoor air pollutants can trigger asthma, said Colleen Naughton, the association's director of strategic development. The condition has been linked to high rates of school- and work-related absenteeism.

Rep. Fran Bradley (R-Rochester) voiced concerns about a nonprofit seeking direct state aid and questioned whether the American Lung Association of Minnesota had also launched a fund-raising campaign.

Naughton said the state has sought grants from foundations and lobbied the Minnesota congressional delegation for the \$14.5 million project.

The committee voted Feb. 6 against recommending the American Lung Association project to the House Capital Investment Committee, which is charged with sorting through all of the bonding proposals. The St. Paul public health laboratory received backing from the committee.

Bonding recommendations

The House Health and Human Services Finance Committee approved a prioritized list of bonding proposals for fiscal year 2002 at its Feb. 6 meeting, forwarding a recommendation for more than \$200 million in projects to the House Capital Investment Committee.

The list largely followed Gov. Jesse Ventura's bonding proposal for projects requested by the state Health and Human Services departments.

The committee remained neutral on eight projects totaling more than \$23 million that were forwarded to the House Capital Investment Committee. They included requests to build a \$766,000 wandering area at the Luverne Dementia Unit and a \$375,000 grant for the Minneapolis Community Development Agency that would have been used to renovate a building for a nonprofit that serves the mentally ill in north Minneapolis.

A proposed \$84.6 million building for a public health laboratory housed jointly by the departments of Agriculture and Health topped the list as the most costly project. The state-of-the-art facility is slated to be built in St. Paul to replace the departments' overcrowded labs.

Other projects that received a green light from the committee include:

- \$8.5 million to preserve a Minnesota veterans home in Hastings;
- \$6.5 million for system-wide asset preservation for the Department of Human Services;
- \$3 million to upgrade the Fergus Falls

REMEMBERING VICTIMS



PHOTO BY ANDREW VON BANK

Elizabeth Cregan, spokesperson for the Million Mom March Twin Cities chapter, sounds a gong 28 times on Feb. 4 to honor the 28 Minnesotans who died in February 2001 from gun violence. Members of the group plan to meet on the State Capitol steps the first Monday of every month to remember those who died from handgun violence last year.

- Regional Treatment Center; • \$2.8 million for system-wide roof replacement for Department of Human Services buildings;
- \$2.3 million to replace a roof at the Silver Bay veterans home (committee members said they want to further examine ways to reduce this expense);
- \$2.25 million to demolish buildings and other structures owned by the Department of Human Services;
- \$2 million to preserve Veterans Home Board assets;
- \$775,000 for a Lake Superior Community Dental Clinic; and
- \$580,000 to demolish buildings at a Cambridge regional treatment center.

The committee voted against recommending \$108 million requested by the Department of Human Services for leasing additional office space, and HF2900, a bill sponsored by Rep. Kathy Tingelstad (R-Andover) that would have appropriated \$3 million to the city of St. Paul in partnership with the American Lung Association.

The grant would help fund construction of a "high performance" office building designed to showcase sustainable practices that improve indoor air quality.

★ HIGHER EDUCATION

Reciprocity update

In December the state sent Wisconsin a check for \$2.43 million to cover the difference in tuition costs for Minnesota students going to Wisconsin colleges and universities and paying Minnesota tuition rates.

North Dakota received nearly \$1.39 million from Minnesota for tuition reciprocity.

Why? Because more Minnesota students are going to school in those neighboring states than North Dakota or Wisconsin students are coming here.

To help keep these funds from leaving the state, last session's omnibus higher education finance law called for negotiations with neighboring states to minimize Minnesota's obligations, while not limiting access for state students to study across the border.

Representatives from the Higher Education Services Office gave an update to the House Higher Education Finance Committee Feb. 6.

Current agreements call for students to pay approximately the same tuition they would at a comparable home state institution, with taxpayers paying the remaining instructional costs after subtracting tuition paid by reciprocity students.

In the fall of 2000 about 21,000 Minnesotans took advantage of the program to study

elsewhere, while nearly 17,000 students studied in Minnesota instead of their home state.

Jack Rayburn, with HESO's program and services division, said there was a couple of years four or five years ago when Wisconsin paid Minnesota. He said the amount was "less than a couple million dollars each time."

As for North Dakota, Rayburn said the amount Minnesota pays is on a downward trend. That is due to a decrease in the difference between Minnesota students studying in North Dakota and vice versa. Additionally, the tuition rates Minnesota students pay in North Dakota is increasing.

North Dakota and Wisconsin are the only two states Minnesota has reciprocity with that have payment obligations.

Robert Poch, director of the Higher Education Services Office, said staff from the office have met with representatives of North Dakota and Wisconsin in order to understand where both sides are coming from. "There is tremendous interest in both states on what the agreements should be," he said.

"I can't imagine a plan can't be developed so all students pay the same rate at a school no matter where you are from," said Rep. Steve Dehler (R-St. Joseph).

Rayburn said it would be difficult, but added "the parties we are working with want to work with us."

Helping student-athletes

Ensuring college student-athletes are not taken advantage of by sports agents is the goal of a bill approved by the House Higher Education Finance Committee Feb. 4.

HF2719, sponsored by Rep. Peggy Leppik (R-Golden Valley), would eliminate the "unscrupulous ways some agents get clients to sign a contract for professional representation," she said.

The bill was drafted by the National Conference of Commissioners on Uniform State Laws, and it has been enacted in 28 states. It is designed to standardize state regulations that will govern agents conduct with student-athletes.

"There have be too many issues nationwide of the unethical performance of agents jeopardizing the eligibility of student-athletes," Leppik said.

Under the plan, agents wanting to represent student-athletes must register with the state commerce commissioner. Any registered agent can contact a student-athlete.

If they are not already registered when contacted by a student-athlete, they must register within seven days, and they cannot enter into an agreement until registered. Included on the

registration would be the agent's formal training, experience, and others represented by the person. Filing fees have not yet been determined.

The bill also calls for a contract to clearly state that signing with an agent could affect the student-athlete's eligibility. It also gives student-athletes 14 days to cancel an agreement after it is signed. Furthermore, once an agreement is signed the student-athlete's school must be notified within 72 hours, or before the next game, whichever is earlier.

Agents who violate the act could be assessed a civil penalty of no more than \$25,000 per incident.

Frank Kara, compliance director at the University of Minnesota, said the institution supports the plan. He said this "is not a huge issue at the university, but is becoming more of an issue for us." The National Collegiate Athletic Association (NCAA) also supports the measure.

Kara said a few athletes have left the university after their junior season, and in his view it was the not the best decision. "This allows those of us that are a little more neutral (when compared to coaches) to make sure the person has the best information when making a decision."

No witnesses spoke in opposition to the bill.

The bill now moves to the House Commerce, Jobs, and Economic Development Policy Committee.

★ INSURANCE

Scoring change

The House Commerce, Jobs, and Economic Development Policy Committee considered a bill (HF2492) Feb. 5 that would prohibit insurance companies from using credit scoring when underwriting automobile and homeowner insurance policies.

Commerce Commissioner Jim Bernstein said a credit score is different from a credit report. He said that mortgage lenders developed credit scoring as a method to try and predict whether an applicant was likely to default on mortgage payments.

Bernstein said that a person with a good credit rating could receive a poor credit score because it is based on factors such as a person's ability to accrue debt. He said that someone who has historically paid off their credit cards in a timely manner can receive a poor score because they have a larger credit line available to them. He said those who have never used credit cards also receive poor credit scores.

"I can't imagine why your credit score would affect your ability to drive a vehicle,"

Bernstein said. "This is a common sense issue. There may be a statistical correlation but there is no cause and effect."

He said the department receives around 50 calls per week from consumers complaining about the use of credit scoring.

Committee Chair Rep. Greg Davids (R-Preston) the bill's sponsor and an insurance agent, said approximately 25 other states are considering similar legislation.

Rep. Andy Westerberg (R-Blaine), who is also an insurance agent, offered an amendment that would allow insurers to use credit scores as one factor for underwriting a policy. The amendment also would prohibit the use of a credit score when the consumer has a non-existent credit history.

"I strongly believe credit scoring should be used in the calculation of an insurance premium but it shouldn't be the sole factor," he said.

Rep. Rob Leighton (DFL-Austin) said the amendment would "gut the bill." He said the testimony heard by the committee was some of the "most overwhelming testimony I've heard in my eight years here."

Davids said because the committee ran out of time to hear testimony from those opposed to the bill the measure would be taken up again at a later date.

METRO AFFAIRS

★ Claiming impounded vehicles

Residents in the Twin Cities metropolitan area may have less time to reclaim vehicles that have been towed.

The House Transportation Policy Committee approved a bill Feb. 5. that would reduce the time the operator of an impound lot must keep a towed vehicle if the owner hasn't made arrangements to pick it up.

Under existing law, all lots outside of Minneapolis and St. Paul must keep vehicles for 45 days before disposing of them. The proposed law would reduce that waiting period to 15 days.

In the two cities, the law was changed several years ago to accommodate for overcrowding in city impound lots.

Jeff Tuthill, vice-president of Dick's Valley Service in Apple Valley, which tows vehicles for four law enforcement agencies, said a similar law is needed in the suburbs.

After a car is towed, the towing company sends a certified letter to the owner requesting that they claim the car, Tuthill said. Under the proposal, the owner could then claim the car right away or request the company hold the vehicle for up to 45 days. If the owner doesn't respond, the vehicle would be disposed after 15 days.

Rep. Chris Gerlach (R-Apple Valley), the sponsor of HF2643, said it's excessive to expect that a company hold a vehicle for 45 days if the owner has not made arrangements to pick it up within 15 days.

"If they don't pick it up within the first few days, the odds are next to nothing it will be reclaimed," he said.

The bill was originally drafted to include Greater Minnesota as well, but Rep. Larry Howes (R-Walker) and Rep. Al Juhnke (DFL-Willmar) pointed out that overcrowding at impound lots is not a problem for rural communities. The committee responded by amending the bill to include only the seven-county metropolitan area.

HF2643 now goes to the House floor.

Asphalt plant partnership

The House Local Government and Metropolitan Affairs Committee approved a measure Feb. 6 that would allow the city of Minneapolis to partner with a private company in building an asphalt plant.

Rep. Dennis Ozment (R-Rosemount), the sponsor of HF2796, said there is currently a privately run asphalt plant and a city run plant within two blocks of each other that need upgrades.

He said a jointly run plant would provide environmental benefits, as well as have a positive impact in the neighborhood.

The bill would allow the joint venture to occur but would require the city to issue a request for proposals to allow competitive bidding for the project.

John Herman, an attorney with the law firm that represents the private facility owner, said the plan is a cooperative effort between neighborhood organizations, the city, and the private business.

"This is an extraordinary unique idea that is a step beyond what the Legislature has allowed cities to do in public-private relationships," he said.

Herman said the bill ensures a competitive process so that there is no advantage to any potential bidders.

Gary Schiff, a Minneapolis city council member, said it is anticipated that the new facility would bring in more tax revenue than currently exists from the two existing facilities. He said that the ongoing repair costs of the current public facility makes a new facility necessary.

Herman said it is likely that the new plant would be built where the existing city facility is located and would save 40 percent to 50 percent in asphalt production costs.

Ozment offered a successful amendment

that requires the joint venture to provide a lower cost and reliable supply of asphalt over a 25-year period when compared to the current city facility.

The amendment also specifies that the bill does not require the city to enter into a joint venture.

The bill now goes to the House floor.

MILITARY



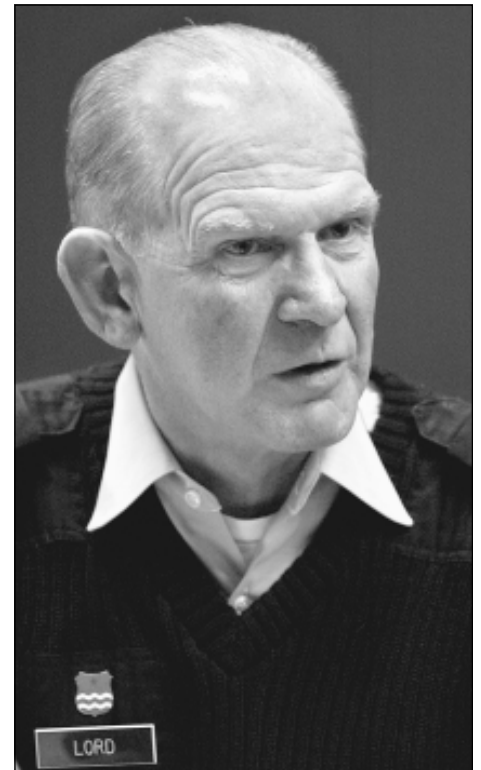
Keeping paychecks coming

The House Governmental Operations and Veterans Affairs Policy Committee approved a measure Feb. 1 that would ensure state employees who serve in the military continue to receive their regular income.

The bill now goes to the House State Government Finance Committee.

HF2567, sponsored by Rep. Rob Eastlund (R-Isanti), would require that state agencies make up the difference between the employee's basic active duty military salary and the salary the person would be paid as an active state employee.

The bill also authorizes local units of government to take similar actions, at their discretion.



Army Col. Dennis Lord, head of the Department of Military Affairs, testifies Feb. 1 before the House Governmental Operations and Veterans Affairs Policy Committee in support of a bill that would require state salary payments to National Guard and other military reserve units called to active duty on or after Sept. 11, 2001, and authorize local governments to pay similar salary differentials.

"Since Sept. 11 we've seen a new awareness about just how much the military plays a part in our life and just how much our military personnel sacrifice," Eastlund said.

He said the bill is modeled after a law that applied to state employee military personnel involved in the Persian Gulf War.

The bill would affect an estimated 500 state employees, said Army Col. Dennis Lord, executive director for the state Department of Military Affairs.

"A number of companies and a number of states have been doing this for quite some time," Lord said. "This allows the state to be a leader."

Rep. Loren Solberg (DFL-Bovey) questioned whether the committee should adopt "such a broad policy" for any time the National Guard is called up.

Solberg is concerned the bill would apply to when the National Guard personnel are activated not just to fight terrorism but on other assignments such as last fall's state employee strike and help with floods and other disasters.

"To be called up by the president, that's one thing, but if you're called up by the governor that's another thing," Solberg said.

Eastlund said the bill was deliberately drafted to be broad because the current "war on terrorism" is different from previous wars the country has been engaged in. He said current law provides that the state cover pay differential for a 15-day period.

Solberg offered a successful amendment that would sunset the law June 30, 2006 thereby allowing the Legislature time to determine whether the extension of pay was still needed.

★ SAFETY

Precautionary step

The state would create a biological agents registry under a measure approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 6.

The bill (HF2846), sponsored by Rep. John Tuma (R-Northfield), would require people or entities that possess or maintain a biological agent to register with the Department of Health. The registry would include the purpose for which the agent is used and verification that the individual or entity is adequately equipped to safely handle the agent.

Drivers of hazardous materials would also be required to undergo a background check before they are licensed to transport the materials, under the bill.

The proposal would use federal guidelines for defining biological agents. However, when

questioned at the hearing, Tuma said he would make sure the list was comprehensive enough and would suggest amendments as necessary.

Tuma said the bill is one of seven related to anti-terrorism measures making their way through House committees. He said the House Crime Prevention Committee, which he chairs, would ultimately combine the bills into a single bill.

Rep. Len Biernat (DFL-Mpls) asked Tuma if it would not be more effective for the federal government to address the issue rather than have all 50 states create separate registries.

Tuma said that Minnesota is at the "front of homeland defense" and that while it is an important issue dealing with national defense, local police officers and agencies are better equipped to deal with the specific safety needs of the community.

Don Gerdesmeier, representing the Minnesota Teamsters, expressed concern that a section of the bill that would allow for the cancellation of a driver's license to transport hazardous materials was too broad.

As the proposal is written, a license could be cancelled if the driver is found guilty of such offenses as criminal sexual conduct, theft, larceny, burglary, and narcotics possession.

Gerdesmeier said that while many of those crimes are serious in nature, some have nothing to do with a person's ability to drive.

Tuma said the section was drafted using laws relating to school bus driver licensure. He said he would continue to work with Gerdesmeier and others from the trucking industry to address concerns.

The bill now goes to the House Crime Prevention Committee.

Emergency 911 services

A bill (HF2550) approved Feb. 4 by the House Regulated Industries Committee would make technical changes to the law regulating emergency 911 services, as well as change which service providers are reimbursed for providing the service.

The original 911 law was passed in 1977. Since then, it has not been updated to reflect technological changes — such as wireless telecommunications — and other system changes that were instituted within the past several years, said Jerry Knickerbocker, representing the Minnesota Telephone Association. He testified in favor of the bill.

Sponsored by Rep. Mike Osskopp (R-Lake City), the bill now goes to the House Governmental Operations and Veterans Affairs Policy Committee.

Among substantive changes in the bill, one



Jerry Knickerbocker, representing the Minnesota Telephone Association, testifies Feb. 4 before the House Regulated Industries Committee in support of a bill that would modify emergency 911 telephone provisions.

section would allow competitive local exchange carriers, defined as those who have only been offering services in a local service area since 1995, to be reimbursed for 911 services.

Under existing law, all companies providing 911 service collect a fee from customers that is sent to the state. Incumbent providers, those who have been the primary service provider since prior to 1995, are eligible for reimbursement from the state for providing those services. Competitive providers are not, according to state law.

The bill would also remove the state Public Utilities Commission from the billing process. Existing law requires that the commission sign off on payments from service providers who are being reimbursed for providing 911 service.

In addition, the bill would require that the Department of Administration, which handles the reimbursements, pay the invoices within 30 days of receiving them, rather than 90 days, as provided in existing law.

Rep. Loren Jennings (DFL-Harris) asked Osskopp if this bill could become a vehicle for raising 911 surcharges, to which Osskopp replied that it would not.

However, informational discussion later in the meeting about a proposed anti-terrorism package suggested that bill will request that surcharges be raised, as will the governor, whose budget included an increase in 2001 that was not granted.

★ TAXES

Funding for food plant

During the summer of 2001, a fire destroyed the Farmland Foods plant in Albert Lea. The House Local Government and Metropolitan Affairs Committee heard a bill Feb. 4 that would help the company build a new facility in the city.

HF2667, sponsored by Rep. Dan Dorman (R-Albert Lea), would allow the city to create a tax increment financing district with exemptions from a law requiring that districts address blight conditions.

The committee referred the bill to the House Taxes Committee without recommendation.

Dorman said that in addition to costing the city one of its largest employers, the tragedy was made even worse because Farmland had planned on hiring about 100 more employees.

He said that the plant was built near a lake and the current proposal is for it to relocate to an industrial park.

Because tax increment financing would be used to both cleanup the old site and help build the new facility, an exemption is needed because both sites would not fall under the blight test requirement.

Bob Graham, a planner for Albert Lea, said the city has applied for grants from both the state and federal government to address the \$5 million cost to cleanup the old site and build the new plant. He said the cost for a new facility is estimated at between \$60 million and \$80 million.

The tax increment finance district would be used to make up a \$2 million gap after all the grants are applied to the project, Graham said.

Rep. Jim Davnie (DFL-Mpls) said that he appreciates how important the company is for Albert Lea but wanted assurances that if the state provides Farmland Foods a "substantial bailout with public funds" the company would guarantee to provide "decent wages." He said the meatpacking industry has seen declining wages over the last few years.

Graham said the company has made a commitment to the union to rehire employees based on their seniority, and that it is expected the average wage of the jobs would be around \$12 an hour.

Extending sales tax

The House Taxes Committee heard Feb. 4 from a stream of representatives from different industries saying Gov. Jesse Ventura's tax increase proposals would have negative consequences for many in the state.

The committee took testimony on the governor's proposal at the meeting. It will

consider the governor's plan for inclusion in a possible omnibus tax bill that would be compiled later this session.

David Steffens, owner of an auto repair shop in Minneapolis for 35 years, called the administration's proposed expansion of the sales tax to auto repairs "a misery tax."

Steffens said the tax would fall upon those who can least afford to pay it because service on new cars generally is covered under warranty, and therefore would not be taxed, while service on used cars would generally be taxed. By their nature those cars tend to break down more often, he said.

"Auto repairs are not discretionary spending. No one chooses to get their car fixed," he said. "Why balance the budget on the backs of the people who can least afford it?"

Wood Foster, past president of the Minnesota Bar Association, also labeled the governor's proposed sales tax expansion to legal services for individuals as a "misery tax."

Foster said that for most people legal services are only needed in difficult times, such as personal injury, divorce proceedings, or debt counseling.

He said Ventura has portrayed the expansion as a tax on lawyers but it would instead fall disproportionately on middle and lower income people.

Rep. Ron Abrams (R-Minnetonka), the committee chair, said the proposed taxing of legal services was "not very well thought out."

Abrams said a person who seeks the services of someone certified as a public accountant and an attorney would face a sales tax on the services provided. But a person who goes to just a certified public accountant would not be subject to the sales tax, even if the same type services were provided.

Mark Anfinson, an attorney with the Minnesota Newspaper Association, said extending the sales tax to newspapers is a "bad, dumb idea."

Anfinson said adding the tax would reduce circulation by increasing the costs of a newspaper, and it would risk the existence of many smaller community papers in the state.

He also said collecting the tax would be difficult both at news boxes on the street and by requiring carriers to become tax collectors.

Abrams said some states, including California, Florida and Pennsylvania, already tax newspaper sales. Anfinson said California newspapers "eat" the tax cost.

★ TRANSPORTATION

Congestion relief

The House Transportation Finance Committee considered a bill Feb. 4 that would fund a commuter rail project designed to relieve

rush hour congestion in the northwest part of the Twin Cities metropolitan area.

No action was taken on HF2818, sponsored by Rep. Kathy Tingelstad (R-Andover).

The Northstar Corridor commuter rail would run 82 miles from Rice, 16 miles north of St. Cloud, to Minneapolis, with stops in St. Cloud, Clear Lake, Becker, Big Lake, Elk River, Ramsey, Anoka, Coon Rapids, and Fridley.

Using rail line already in place, 18 trains would shuttle commuters, visitors, and students between Minneapolis and Rice.

The project also includes an inter-modal connection in Minneapolis allowing passengers to transfer to buses or the Hiawatha light-rail transit line, which is currently under construction. That line will extend to Minneapolis/St. Paul International Airport and the Mall of America.

State Transportation Commissioner Elwyn Tinklenberg told committee members the commuter rail line would help clear up congestion along U.S. Highway 10.

Nearly 10,000 people are expected to use the rail when it opens in late 2005, removing about a lane and a half of traffic, he said.

Since the rail is already in place, the commuter rail is an economical way to clear up congestion in the area, he said.

Eighty percent of area residents surveyed said they think the commuter rail is a good idea, Tinklenberg said.

One of those supporters is Jim Stahlmann, who has worked in downtown Minneapolis for the past 27 years, and now commutes from Big Lake. Making use of track already in place makes sense, he said.



Big Lake resident Jim Stahlmann testifies before the House Transportation Finance Committee Feb. 4 in support of a bill that would provide funding for the Northstar Corridor commuter rail.

He encouraged committee members to approve funding for the commuter rail.

"The longer we wait, the more it's going to cost," he said.

The rail project is expected to cost about \$294 million. Of that, the federal government would pay 50 percent, and the state would pay 40 percent, or \$108 million. The state and federal government would split the \$23.4 million cost of the multi-modal connection.

Gov. Jesse Ventura has included \$120 million for the project in his budget recommendations.

Shoulder usage

If city buses are allowed to use the shoulder of the road during periods of heavy traffic, charter buses should be allowed to as well, the House Transportation Policy Committee decided Feb. 5.

The committee approved HF2632, which now goes before the full House.

Rep. Carol Molnau (R-Chaska), bill sponsor, said the state has encouraged people to use mass transit and should reward those who choose to ride a bus, whether it is a public or chartered bus.

The bill would allow charter buses to drive on the shoulder of roads in areas where public transit buses are allowed to do so. Buses

transporting children to and from school would not be included.

Charter buses would take advantage of the new law mainly during large events such as Minnesota Vikings games or the state fair, Molnau said.

Todd Telin, manager of Gray Line Tours in Lakeville, said charter buses would only take advantage of the law during certain peak times and on certain roads.

Buses are allowed to drive 35 miles per hour on the shoulder if traffic is moving slowly, and 15 mph if traffic is stopped, he said. If there were no congestion, the buses would remain in traffic.

But Maj. Gene Halvorson of the Minnesota State Patrol said he is nervous about allowing more traffic onto the shoulder of the road. He said he has heard about many accidents involving buses using the shoulder, although some of those were minor scrapes.

Bob Winter, acting metro division engineer for the state Department of Transportation, said he also is concerned about putting more buses on the shoulder.

Although the department has found that crashes involving buses on the shoulder are not a significant problem, he said transit drivers are given extensive training and charter bus drivers will not be as familiar with driving on the shoulder.

CRIME WATCH



PHOTO BY TOM OLMSCHIED

Six-year-old Molly Tuma, right, peeks over the shoulder of her father, Rep. John Tuma, during a visit to the House Crime Prevention Committee Feb. 7. Rep. Tuma is the committee chair.



A stinky subject

Oklahoma considering tax break to manure buyers

Poultry manure is at the center of a debate in "The Sooner State."

A bill in the Oklahoma House would provide a \$5 per ton tax break to buyers of poultry litter in portions of the state. The law is co-sponsored by Rep. Kent Friskup (R-Chandler), who was born in New Ulm, Minn.

The rationale behind the measure is that with the tax break purchasers would be able to pay more for the animal waste, making it more worthwhile for farmers to sell instead of spreading on their own land. Soil only needs a certain amount of phosphorus, a nutrient in the waste.

In eastern parts of the state where farmers dispose of excess waste on their fields, excessive amounts of phosphorus is getting into waterways when it rains, threatening the amount of oxygen for fish and causing bad-tasting water for humans.

The plan says the manure could instead be spread across nutrient-limited land in the other parts of the state. It is estimated that 75 percent of Oklahoma's soil could use more phosphorus.

Tulsa officials have lobbied state officials for some sort of similar legislation, as the city gets about one-half of its water from two lakes where phosphorus levels are increasing.

Rep. Clay Pope (D-Loyal), the bill's other co-sponsor, told *The Daily Oklahoman* that it is a matter of paying now or paying later. "If we don't move poultry litter from northeastern watersheds, municipalities like Tulsa will be seeking assistance anyway through state loans or grants to address its water quality issues."

"I think Oklahoma would be better served by removing litter nutrients than trying to clean up the mess later. And we can do it in a way that will bring additional economic growth to the state."

Discussion on the bill, forecasted to cost about \$297,000 in year one and \$732,000 annually thereafter until its Dec. 31, 2006 sunset, is expected in 2002.

(M. Cook)



Session deadlines approach

House and Senate leadership have set the following deadlines for committees to complete their business this session:

- **Friday, Feb. 22** — Bills must have passed out of all policy committees in the house of origin.
- **Friday, March 1** — All House and Senate bills must have passed out of all policy committees in the other body.
- **Friday, March 8** — Omnibus finance bills must be out of House finance committees, and Senate divisions and finance committees.

There are exceptions to these deadlines. For example, bill sponsors may appeal to the rules committee so a bill may be considered after the deadline. In addition, the taxes and Capital Investment committees are not bound by the deadlines.

Surrogate protection

Bill would create new regulations for residents assisting in reproduction process

By LISA HILTON

Debate heated up in the House Civil Law Committee Feb. 6 over a bill that defines and regulates agreements between surrogate mothers and future parents, and regulates other forms of assisted reproduction.

The bill's sponsor, Rep. Kathy Tingelstad (R-Andover), said the bill is needed because, although a law addressing male infertility options has been on the books for 15 years, Minnesota law does not presently address the issue of female assisted reproduction.

HF2819 would help couples who want to have children but are unable to on their own, Tingelstad said.

The bill allows agreements to be formed between surrogate mothers and the child's future parents, she said. That agreement is legally binding and is formed before conception of the embryo. If the surrogate mother does not turn over the child after birth, the bill would give the intended parents the right to sue to obtain custody.

The bill would also allow for the intended parents to compensate the surrogate mother for her "time, effort, pain and suffering, inconvenience, and health risks associated with medical evaluation, gestation, and delivery."

Sperm or egg donors could also be reasonably compensated, although that compensation cannot be dependent on the quality of the gamete donated, nor on the donor's traits.

According to Daonna Depoister, president of Resolve, an organization that supports and assists infertile couples, the bill is very important because there are 160,000 citizens in Minnesota who are infertile.

There are many surrogate agreements made every year in Minnesota, but the state has no laws regarding the issue, she said.

"There are over 50 agreements made without any guidelines or boundaries being set," she said. "That is a very dangerous thing."

Although Minnesota doesn't have a law in place governing surrogate mothers, it should have one before a problem arises, she said.

"Agreements prevent disagreements," Depoister said.



PHOTO BY ANDREW VON BANK

Daonna Depoister, president of Resolve of Minnesota, testifies before the House Civil Law Committee Feb. 6 in support of a bill that would address assisted reproduction.

Maple Grove attorney Steve Snyder, an expert on carrier law who co-chaired an assisted reproduction subcommittee during 2001, said he has handled about 30 surrogate cases during the last 10 years. He agreed it was time for the state to regulate the practice.

"If it remains unregulated, you will have headlines in Minnesota as there have been all over the country," he said. "There are a whole lot of issues that need to be addressed."

The bill would specifically require the surrogate mother to have had children before so she knows what she can expect before getting into the agreement, Snyder said. This also

reduces the risk of the mother having complications during pregnancy and childbirth.

In addition, surrogate mothers would have to receive legal counseling before entering into the agreement.

However, while supporters of the measure said it would help build families, opponents argued that it would do just the opposite by breaking the connection between a child and the birth mother.

Tom Prichard, president of the Minnesota Family Council, said the bill redefines the role of motherhood and depersonalizes the role of the birth mother.

Since it allows surrogate mothers to be compensated, it commercializes children, he said. Sixteen other states prohibit compensating surrogate mothers, he added.

Curtis Herbert, a life sciences research attorney, also argued that the bill creates a legal contract for the sale of children.

"The idea is one party hands over the money, and one party hands over the baby," he said. "It's absurd for me to tell you that buying babies is bad."

While having great sympathy for couples who cannot have children, the proposed law would allow people with money to buy babies, while institutionalizing surrogate mothers, he said.

Gregory Troy, a St. Paul attorney who practices adoption law, also opposed the bill.

"It really comes down to children being a gift, not a right," he told committee members.

If embryos are going to be treated like commodities, will there be sales tax on them, he asked the committee. The contract could also open up the door for product liability suits against surrogate mothers that hurt the child while it is still in the womb, he said.

The bill also does not include any background checks for the intended parents of the child as it does in adoption cases, he said.

Troy agreed to write out his objections to the bill by Feb. 11 when the House Civil Law Committee is scheduled to hear further testimony on the bill. 🐼

Monday, February 4

HF2801—Ness (R)

Education Policy

Charter school students allowed to fully participate in extracurricular activities of resident school district.

HF2802—Sykora (R)

Family & Early Childhood Education Finance

Early childhood through adult education general revenues provided for academic excellence, special programs, facilities and technology, nutrition, school accounting, other programs, and libraries; and money appropriated.

HF2803—Ness (R)

Agriculture & Rural Development Finance

Agricultural and food sciences educational facility funding provided, bonds issued, and money appropriated.

HF2804—Ozment (R)

Environment & Natural Resources Finance

Wetland replacement funding provided, bonds issued, and money appropriated.

HF2805—Mulder (R)

Family & Early Childhood Education Finance

At-home infant childcare program family income definition modified.

HF2806—Skoe (DFL)

Family & Early Childhood Education Finance

Fosston Public Library accessibility improvements grant provided, bonds issued, and money appropriated.

HF2807—Leighton (DFL)

Commerce, Jobs & Economic Development Policy

Occupational safety and health standard ergonomic standard adoption required.

HF2808—Holsten (R)

Local Government & Metropolitan Affairs

Washington County motor vehicle registration renewal electronic processing authorized, and additional fee imposed for payment by credit card.

HF2809—Holsten (R)

Local Government & Metropolitan Affairs

Voting equipment grants made applicable for reimbursement of earlier equipment purchases, and insufficiency of resources requirement removed.

HF2810—Johnson, S. (DFL)

Higher Education Finance

Metropolitan State University community library funding provided, bonds issued, and money appropriated.

HF2811—Abrams (R)

Jobs & Economic Development Finance

Guthrie Theater in Minneapolis funding provided, bonds issued, and money appropriated.

HF2812—Stanek (R)

Judiciary Finance

Transportation, public safety, criminal justice, and other agency appropriations modified and reduced; law enforcement and community grants reduced; bonds issued; fees provided; and language clarified.

HF2813—Molnau (R)

Health & Human Services Policy

Childcare providers required to develop policies for reporting suspected child maltreatment.

HF2814—Ozment (R)

Environment & Natural Resources Policy

State agencies required to purchase clean fuels and vehicles capable of running on clean fuels, if available.

HF2815—Ozment (R)

Environment & Natural Resources Policy

Waste electronic products stewardship provided.

HF2816—Gerlach (R)

K-12 Education Finance

Basic skills revenue use consolidated, and districts required to collaborate with school site decision-making team in allocating compensatory education revenue.

HF2817—Stang (R)

Taxes

Homestead property tax classification extended to certain property used for non-homestead purposes.

HF2818—Tingelstad (R)

Transportation Finance

Northstar commuter rail line funding provided, bonds issued, and money appropriated.

HF2819—Tingelstad (R)

Civil Law

Assisted reproduction act adopted authorizing collaborative reproduction agreements and embryo agreements.

HF2820—Greiling (DFL)

Environment & Natural Resources Policy

Smoke detector battery manufacturers required to provide for safe disposal of radioactive batteries.

HF2821—Tingelstad (R)

Governmental Operations & Veterans Affairs Policy

Teacher retirement association optional accelerated retirement annuities payment age revised.

HF2822—Clark, J. (R)

Taxes

Homestead property tax classification extended to certain property used for non-homestead purposes.

HF2823—Mahoney (DFL)

Jobs & Economic Development Finance

St. Paul Phalen corridor contamination remediation and land acquisition grant provided, bonds issued, and money appropriated.

HF2824—Opatz (DFL)

Education Policy

Student employment upon obtaining a degree data collection provided.

HF2825—Leighton (DFL)

Crime Prevention

Attorney general authorized to prosecute commercial crimes against insurers.

HF2826—Dawkins (DFL)

Civil Law

Hmong Mej Koob marriage solemnization recognized.

HF2827—Winter (DFL)

Jobs & Economic Development Finance

Murray County; Lake Shetek centralized wastewater system funding provided, bonds issued, and money appropriated.

HF2828—Opatz (DFL)

Higher Education Finance

Interstate tuition reciprocity agreement requirements modified.

HF2829—Smith (R)

Governmental Operations & Veterans Affairs Policy

Minnesota State Retirement System allowable service time definition expanded to include time on strike.

HF2830—Osthoff (DFL)

Local Government & Metropolitan Affairs

St. Paul local bonding authority limits set through 2008.

HF2831—Tingelstad (R)

K-12 Education Finance

High performance facility grant program established, bonds issued, and money appropriated.

HF2832—Finseth (R)

Environment & Natural Resources Finance

Flood hazard mitigation projects funding provided, bonds issued, and money appropriated.

HF2833—Bradley (R)

Taxes

Third-party purchasers required to comply with provisions authorizing transfer of the health care provider tax.

HF2834—Dorn (DFL)

Higher Education Finance

Minnesota State University athletic facilities project phase 3 funding provided, bonds issued, and money appropriated.

HF2835—Dawkins (DFL)

Education Policy

Minnesota Commission on National and Community Service authorized to create and delegate duties to a private nonprofit corporation.

HF2836—Gunther (R)

Local Government & Metropolitan Affairs

Region Nine Development Commission authorized to establish a specific nonprofit corporation to reduce the region's dependence on tax dollars.

HF2837—Clark, K. (DFL)

Commerce, Jobs & Economic Development Policy

Housing administrator grants factors clarified.

HF2838—Winter (DFL)

Jobs & Economic Development Finance

Wastewater infrastructure funding program funding provided, and money appropriated.

HF2839—Clark, K. (DFL)

Commerce, Jobs & Economic Development Policy

Mortgage loan prepayment penalty regulation authority by the states urged of the President and Congress by resolution.

HF2840—Clark, J. (R)**Crime Prevention**

Criminal prosecution estoppel provisions modified relating to certain license revocation hearings, juvenile jurisdiction provided, child endangerment definition expanded relating to controlled substances, and penalties prescribed.

HF2841—Penas (R)**Crime Prevention**

Local correctional fees defined to include room and board, and collection of those fees authorized from persons convicted of a crime.

HF2842—Tuma (R)**Crime Prevention**

Laboratory blood sample reports electronic signature authorized.

HF2843—Tuma (R)**Civil Law**

Sexual abuse damage action statute of limitations modified.

HF2844—Tuma (R)**Regulated Industries**

Emergency telephone access fees provided, Metropolitan Council bonds authorized, trespassing on public works prohibited, and penalties provided.

HF2845—Tuma (R)**Higher Education Finance**

Foreign students in post-secondary institutions monitored.

HF2846—Tuma (R)**Governmental Operations & Veterans Affairs Policy**

Biological agents registry established, hazardous materials driver's license endorsement regulations provided, and endorsements canceled for certain offenses.

HF2847—Tuma (R)**Transportation Policy**

Temporary licenses issued for certain foreign persons, hazardous materials drivers' endorsement regulations established, endorsements canceled for specified offenses, and money appropriated.

HF2848—Tuma (R)**Health & Human Services Policy**

Biological agents registry established, rulemaking and civil penalties authorized, and money appropriated.

HF2849—Tuma (R)**Local Government & Metropolitan Affairs**

Closed public meetings authorized to discuss items relating to security.

HF2850—Winter (DFL)**Jobs & Economic****Development Finance**

Tracy central business district revitalization funding provided, bonds issued, and money appropriated.

HF2851—Seagren (R)**Local Government & Metropolitan Affairs**

Metropolitan Council activities relating to the Dan Patch commuter rail line prohibited.

HF2852—Marko (DFL)**Transportation Finance**

High speed rail line funding provided for state share of St. Paul to Chicago rail line, bonds issued, and money appropriated.

HF2853—Marquart (DFL)**Transportation Policy**

Restricted farm work drivers' license motor vehicle operating conditions modified.

HF2854—Leighton (DFL)**Environment & Natural Resources Finance**

Shooting Star Trail funding provided, bonds issued, and money appropriated.

HF2855—Juhnke (DFL)**Regulated Industries**

Telecommunications customers authorized to cancel services under certain circumstances.

HF2856—Skoe (DFL)**K-12 Education Finance**

Independent School District No. 38, Red Lake, school construction and improvement grant provided, bonds issued, and money appropriated.

HF2857—Paymar (DFL)**Commerce, Jobs & Economic Development Policy**

Credit card statements required to disclose in monthly statements the time required to pay balance off when paying the minimum payment due.

HF2858—Seifert (R)**Environment & Natural Resources Finance**

Prairie Farm Preservation Education and Exhibit Center funding provided, bonds issued, and money appropriated.

HF2859—Bakk (DFL)**Jobs & Economic****Development Finance Policy**

Lake Superior border municipalities wastewater facilities funding provided, bonds issued, and money appropriated.

HF2860—Swenson (R)**Transportation Finance**

Rail service improvement program funding provided, bonds issued, and money appropriated.

HF2861—Rhodes (R)**Transportation Finance**

St. Louis Park Belt Line Boulevard pedestrian crossing provided, bonds issued, and money appropriated.

HF2862—Goodno (R)**Health & Human Services Policy**

Human services, health, and corrections programs provided; funding provided and earlier appropriations reduced with certain conditions; and money appropriated.

HF2863—Eastlund (R)**Health & Human Services Finance**

Cambridge Regional Treatment Center administration building demolished, bonds issued, and money appropriated.

HF2864—McGuire (DFL)**Jobs & Economic****Development Finance**

Ramsey County pre-design funding provided for the Gibbs Museum of Pioneer and Dakotah Life, bonds issued, and money appropriated.

HF2865—Cassell (R)**Agriculture Policy**

Feedlot permit rules pastures exemption clarified.

HF2866—Dorman (R)**K-12 Education Finance**

Independent School District No. 241, Albert Lea, declining pupil unit aid authorized, and money appropriated.

HF2867—Dorman (R)**K-12 Education Finance**

Equity revenue for school districts modified.

HF2868—Tuma (R)**Crime Prevention**

Predatory offender registration expanded to include certain offenders under the age of 18.

HF2869—Dorman (R)**Environment & Natural Resources Finance**

Albert Lea and Freeborn county dam and lake improvements grants provided, bonds issued, and money appropriated.

HF2870—Dorman (R)**Commerce, Jobs &****Economic Development Policy**

Albert Lea additional on-sale liquor licenses authorized.

HF2871—McElroy (R)**Jobs & Economic****Development Finance**

Small city economic development grants provided, bonds issued, and money appropriated.

HF2872—Bakk (DFL)**Environment & Natural Resources Finance**

Silver Bay Marina additional docking piers construction provided, bonds issued, and money appropriated.

HF2873—Wilkin (R)**Local Government & Metropolitan Affairs**

Client-directed support programs provided.

HF2874—Ozment (R)**Environment & Natural Resources Finance**

Dakota County farmland and natural areas protection grant provided, bonds issued, and money appropriated.

HF2875—Abrams (R)**Taxes**

Tax data classification and disclosure provisions technical changes provided.

HF2876—Abrams (R)**Taxes**

Bakery goods including bread specifically exempted from the prepared food sales tax.

HF2877—Harder (R)**Education Policy**

Shared time aid provisions modified relating to district of attendance.

HF2878—Abrams (R)**Taxes**

Taxation technical and administrative modifications provided.

HF2879—Abrams (R)**Local Government & Metropolitan Affairs**

County and municipal public finance definitions and authorizations modified.

HF2880—Howes (R)**Environment & Natural Resources Policy**

Yellow perch daily and possession limits set.

HF2881—McElroy (R)**Local Government & Metropolitan Affairs**

Tax increment financing deficit reduction provisions modified.

- HF2882—Workman (R)**
Transportation Policy
Electric personal assistive mobility device roadway and sidewalk regulations established.
- HF2883—McElroy (R)**
Jobs & Economic Development Finance
Public ownership of rental housing loans provided, bonds issued, and money appropriated.
- HF2884—Osskopp (R)**
Transportation Policy
Maximum weight limit for milk trucks regulated.
- HF2885—McElroy (R)**
Environment & Natural Resources Finance
Minnesota Zoological Garden facilities and business master plan phase I funding provided, bonds issued, and money appropriated.
- HF2886—Howes (R)**
Governmental Operations & Veterans Affairs Policy
Leech Lake Reservation tribal band members additional Election Day identification procedures established.
- HF2887—Kuisle (R)**
Environment & Natural Resources Finance
Wetland replacement funding provided, bonds issued, and money appropriated.
- HF2888—Jennings (DFL)**
Environment & Natural Resources Policy
Solid waste management practices modified.
- HF2889—Howes (R)**
Environment & Natural Resources Policy
Individual sewage treatment system installation authorized in certain circumstances.
- HF2890—Greiling (DFL)**
Transportation Finance
Rush Line Transitway bus improvements provided, bonds issued, and money appropriated.
- HF2891—Penas (R)**
K-12 Education Finance
Career and technical levy made permanent and program language modified.
- HF2892—Tuma (R)**
Environment & Natural Resources Finance
Water and land resource improvement funding provided, bonds issued, and money appropriated.
- HF2893—Mullery (DFL)**
Governmental Operations & Veterans Affairs Policy
Minneapolis Police Relief Association optional annuity eligibility clarified.
- HF2894—Skoe (DFL)**
Agriculture Policy
Feedlot regulations pastures definition clarified.
- HF2895—Pawlenty (R)**
Environment & Natural Resources Finance
Dakota County Lebanon Hills Regional Park flood mitigation improvements provided, bonds issued, and money appropriated.
- HF2896—Gerlach (R)**
Transportation Finance
Cedar Avenue transitway improvements funded, bonds issued, and money appropriated.
- HF2897—Osthoff (DFL)**
Jobs & Economic Development Finance
Ramsey County purchase of Union Depot authorized, bonds issued, and money appropriated.
- HF2898—Marko (DFL)**
Transportation Finance
Red Rock commuter rail line planning funded, bonds issued, and money appropriated.
- HF2899—Holberg (R)**
Local Government & Metropolitan Affairs
Livable community demonstration account provisions modified.
- HF2900—Tingelstad (R)**
Health & Human Services Finance
St. Paul high performance office building and educational center construction grant provided, bonds issued, and money appropriated.
- HF2901—Sykora (R)**
Family & Early Childhood Education Finance
Child care provider annual market rate surveys required.
- HF2902—Sykora (R)**
Education Policy
Childcare center experienced aide supervision regulation sunset provision removed.
- HF2903—Goodno (R)**
Health & Human Services Policy
Radiation therapy facility major spending commitment requirements modified.
- HF2904—Larson (DFL)**
Commerce, Jobs & Economic Development Policy
Air bag repair or replacement required in motor vehicle collision repair, and penalties provided.
- HF2905—Jennings (DFL)**
Regulated Industries
Public Utilities Commission authority to remedy inadequate or discriminatory service clarified.
- HF2906—Abrams (R)**
Local Government & Metropolitan Affairs
Hennepin County Board real property leasing and off-street parking facility construction limitations removed.
- HF2907—Solberg (DFL)**
Transportation Finance
Aitkin County Great River Road construction funding provided, and money appropriated.
- HF2908—Hilty (DFL)**
Local Government & Metropolitan Affairs
Pine County recorder and assessor office combination authorized.
- HF2909—Stanek (R)**
Crime Prevention
Terrorism prevention integrated public policy established, data classification and sharing authorized, penalties provided, and money appropriated.
- HF2910—Davnice (DFL)**
K-12 Education Finance
Special School District No. 1, Minneapolis, integration revenue restored and student mobility study proposed.
- HF2911—Solberg (DFL)**
State Government Finance
Mt. Itasca biathlon training project completion funding provided, bonds issued, and money appropriated.
- HF2912—Folliard (DFL)**
Health & Human Services Policy
Asthma surveillance system established, MinnesotaCare and medical assistance provisions modified, minimum wage increased, child tax credit allowed, taxes on tobacco products modified, and money appropriated.
- HF2913—Mariani (DFL)**
Jobs & Economic Development Finance
St. Paul Raspberry Island and Upper Landing capital improvements provided, bonds issued, and money appropriated.
- HF2914—Ness (R)**
Environment & Natural Resources Policy
Meeker County sale of certain tax-forfeited land bordering public water authorized.
- HF2915—Bakk (DFL)**
Local Government & Metropolitan Affairs
Cook County powers and authority in relation to the Cook County hospital district clarified, and maximum tax levy provided.
- HF2916—Huntley (DFL)**
Environment & Natural Resources Policy
Sanitary district payment receiving authority clarified.
- HF2917—Kahn (DFL)**
Jobs & Economic Development Finance
Minneapolis empowerment zones sub-projects improvements provided, bonds issued, and money appropriated.
- HF2918—Jennings (DFL)**
K-12 Education Finance
Independent School District No. 578, Pine City, disabled access levy extended.
- HF2919—Jennings (DFL)**
Regulated Industries
Telecommunications standards of conduct provided, private customer information consent required for marketing purposes, and competition within local exchange marketplace promoted.
- HF2920—Ozment (R)**
Environment & Natural Resources Policy
Timber permit and lease provisions modified, prairie chicken hunting license created, turtling requirements modified, aquatic plant restoration provisions established, criminal penalties provided, and money appropriated.
- HF2921—McElroy (R)**
Regulated Industries
Minnesota Economic, Environmental, and Energy Security Act of 2002 established.
- HF2922—Sertich (DFL)**
Commerce, Jobs & Economic Development Policy
Background check, credit check, testing, or orientation costs payment by employees prohibited.
- HF2923—Jennings (DFL)**
Regulated Industries
Large incumbent local exchange carrier biennial service and investment plan filing required.

HF2924—Solberg (DFL)**Taxes**

Limited market value phase-out repealed.

HF2925—Boudreau (R)**Commerce, Jobs & Economic Development Policy**

Health care service prior authorization agreements modified, and provider contracting requirements established.

HF2926—Schumacher (DFL)**Environment & Natural Resources Policy**

Sherburne County private sale of surplus state land authorized.

HF2927—Dorman (R)**Education Policy**

High school level Minnesota comprehensive assessments replaced with a college-level placement test.

HF2928—Seifert (R)**Higher Education Finance**

Southwest State University in Marshall library remodeling funded, bonds issued, and money appropriated.

HF2929—Winter (DFL)**Transportation Policy**

Property tax replacement aid to new transit systems provided.

HF2930—Seifert (R)**Environment & Natural Resources Finance**

LQP-25/Lazarus Creek floodwater retention project funding provided, bonds issued, and money appropriated.

HF2931—Kahn (DFL)**Capital Investment**

People, Inc. North Side Community Support Program previous Hennepin County grant redirected to Minneapolis Community Development Agency.

HF2932—Sykora (R)**Health & Human Services Policy**

Communicable disease disclosure to a foster care provider required.

HF2933—Stang (R)**Local Government & Metropolitan Affairs**

Rockville and Pleasant Lake consolidation plan joint development required.

HF2934—Jennings (DFL)**Regulated Industries**

Landowner payments for hosting transmission facilities authorized.

Thursday, February 7**HF2935—Penas (R)****Health & Human Services Policy**

Health Maintenance Organization rural demonstration project authorized.

HF2936—Knoblach (R)**Jobs & Economic Development Finance**

Workers' compensation assigned risk plan funds transferred to the workforce development fund.

HF2937—Abrams (R)**Taxes**

Corporate franchise tax phasing-in apportionment based solely on sales.

HF2938—Buesgens (R)**K-12 Education Finance**

School districts not required to comply with state mandates unless revenue to comply is identified.

HF2939—Workman (R)**Transportation Policy**

Motor vehicle sales tax fund established, proceeds dedicated to highways and public transit, highway bonding limitation removed, motor fuel tax increased, bonds issued, money appropriated, and constitutional amendment proposed.

HF2940—Wasiluk (DFL)**Crime Prevention**

Service animal negligent interference of unauthorized control prohibited, restitution required, and penalties prescribed.

HF2941—Blaine (R)**Taxes**

Military pay income tax deduction provided.

HF2942—Blaine (R)**Judiciary Finance**

Camp Ripley joint military/law enforcement anti-terrorism training facility pre-design funding provided, and money appropriated.

HF2943—Wasiluk (DFL)**Transportation Finance**

McKnight Road and Highway 36 interchange construction funding provided, bonds issued, and money appropriated.

HF2944—Walz (R)**Environment & Natural Resources Policy**

Cuyuna Lakes State Trail established in Crow Wing and Aitkin counties.

HF2945—Walz (R)**Environment & Natural Resources Finance**

Cuyuna Country state recreation area in Crow Wing County improvements funding provided, bonds issued, and money appropriated.

HF2946—Murphy (DFL)**Crime Prevention**

Terrorism; closed meetings authorized to discuss security, drivers' licenses limited, first-degree murder expanded to include terrorism, biological agent crimes established, homeland security and training funded, and money appropriated.

HF2947—Blaine (R)**Agriculture & Rural Development Finance**

Biogas; on-farm biogas recovery facility loan program established.

HF2948—Walz (R)**Environment & Natural Resources Policy**

Cuyuna Country state recreation area additions provided in Crow Wing County.

HF2949—Kahn (DFL)**Environment & Natural Resources Policy**

Littering offenses expanded to include partially burnt cigarettes.

HF2950—Buesgens (R)**Education Policy**

Basic skills test on line capability required.

HF2951—Sykora (R)**Family & Early Childhood Education Finance**

Early childhood and family education technical and clarifying language provided, rulemaking authorized, and adult basic education consortia authorized to act as own fiscal agents.

HF2952—Abeler (R)**Transportation Policy**

Senior citizens street crossings designated.

HF2953—Abeler (R)**Civil Law**

Volunteer health care provider program established, and state employee status provided relating to tort claims.

HF2954—Abeler (R)**K-12 Education Finance**

School district staff development revenue flexibility provided.

HF2955—Tuma (R)**Higher Education Finance**

University of Minnesota regents appointed by the governor with the advice and consent of the Senate, and constitutional amendment proposed.

HF2956—Lenczewski (DFL)**Commerce, Jobs & Economic Development**

Annuity contracts with surrender charges sales to elderly customers regulated.

HF2957—Sertich (DFL)**Transportation Policy**

Impounded vehicle notice required to cite state statute or local ordinance that authorized taking the vehicle.

HF2958—Vandever (R)**Governmental Operations & Veterans Affairs Policy**

Law enforcement income tax check-off provided to fund benefits for survivors of law enforcement officers and firefighters, and provide maintenance of peace officer and firefighter memorials.

HF2959—Carlson (DFL)**K-12 Education Finance**

Intermediate school districts authorized to levy for judgements.

HF2960—Blaine (R)**Agriculture & Rural Development Finance**

Biogas recovery facility loan program funding provided, bonds issued, and money appropriated.

HF2961—Mares (R)**K-12 Education Finance**

Intermediate school districts authorized to issue tax and aid anticipation certificates.

HF2962—Osthoff (DFL)**Jobs & Economic Development Finance**

St. Paul Roy Wilkins Auditorium roof repair and ADA compliance funding provided, bonds issued, and money appropriated.

HF2963—Blaine (R)**Agriculture & Rural Development Finance**

Farm manure digester loan eligibility expanded.

HF2964—Mares (R)**Education Policy**

K-12 education programs provided including general education, education excellence, special education, facilities and technology, and nutrition and other programs.

HF2965—Kuisle (R)**Agriculture Policy**

Pollutant discharge into state waters prohibition clarified, and new open-air swine basin permits prohibited.

HF2966—Peterson (DFL)
Education Policy
Profile of Learning repealed.

HF2967—Kahn (DFL)
Health & Human Services Policy
Genetic parentage or forensic DNA testing laboratories required to be accredited, fees established, rulemaking authorized, and penalties provided.

HF2968—Vanderveer (R)
State Government Finance
Legislative and constitutional officer salary decrease provided.

HF2969—Kuisle (R)
Education Policy
Special education data recording in electronic format authorized.

HF2970—Hackbarth (R)
Environment & Natural Resources Finance
Recreational motor vehicle use maintenance, monitoring, and enforcement activities funding provided; and money appropriated.

HF2971—Hackbarth (R)
Local Government & Metropolitan Affairs
Shooting ranges generally accepted operation practices defined relating to ordinances, closing, relocation, and nuisance liability.

HF2972—Wolf (R)
Regulated Industries
Omnibus energy bill of 2001 technical corrections provided.

HF2973—Holsten (R)
Environment & Natural Resources Finance
Leased property maintenance provided, aquatic plant grants permitted, state park exemptions authorized, federal compliance provided, and money appropriated.

HF2974—Ruth (R)
Taxes
Electric generation facility personal property tax exemption provided.

HF2975—Rifenberg (R)
Taxes
Houston fire and ambulance station construction materials sales tax exemption provided.

HF2976—Holsten (R)
Governmental Operations & Veterans Affairs Policy
Gambling lawful purpose expenditures trade area definition modified.

HF2977—Hackbarth (R)
Taxes
Shooting range property defined as class 4c for property tax purposes.

HF2978—Cassell (R)
Local Government & Metropolitan Affairs
Alexandria; lakes area economic development authority established, powers granted, and duties prescribed.

HF2979—Jennings (DFL)
Local Government & Metropolitan Affairs
Wyoming township and Chisago city; previous municipal annexation reimbursements repealed.

HF2980—Sykora (R)
Judiciary Finance
Faribault Correctional Facility prison industry building funding provided, bonds issued, and money appropriated.

HF2981—Huntley (DFL)
Family & Early Childhood Education Finance
Child advocacy center grants provided and money appropriated.

HF2982—Howes (R)
Health & Human Services Policy
Ah-Gwah-Ching Center hiring and layoff freeze implemented, provision of information on center programs required, and task force on collocation of services and functions established.

HF2983—Howes (R)
Governmental Operations & Veterans Affairs Policy
Service credit for past uncredited legislative service and Itasca State Park employment granted for former Hubbard County legislator.

HF2984—Seagren (R)
Education Policy
Alternative school district organization provided.

HF2985—Anderson, I. (DFL)
Taxes
Low-income housing tax credit provided.

HF2986—Bakk (DFL)
Higher Education Finance
Vermilion Community College land acquisition bonds issued, and money appropriated.

HF2987—Bakk (DFL)
Local Government & Metropolitan Affairs
Cook County Mineral Center cemetery conveyance to Grand Portage Reservation authorized.

HF2988—Haas (R)
Health & Human Services Policy
Insurance licenses, fees, and coverages regulated in certain instances.

HF2989—Haas (R)
Commerce, Jobs & Economic Development Policy
Health information data classified, certain continuing education requirements regulated, contractor's recovery fund regulated, uniform conveyancing forms adopted, and obsolete rules repealed.

HF2990—Winter (DFL)
K-12 Education Finance
Lakeview residential program included in the tuition amounts billed to resident school districts.

HF2991—Knoblach (R)
Health & Human Services Finance
Nursing facilities designated as metropolitan facilities for purposes of medical assistance reimbursement.

HF2992—Rhodes (R)
Health & Human Services Policy
Occupational therapist temporary licensure terms modified.

HF2993—Howes (R)
Health & Human Services Policy
Nursing overtime limits provided.

HF2994—Bishop (R)
Jobs & Economic Development Finance
Rochester Art Center construction bonds issued and money appropriated.

HF2995—Howes (R)
Local Government & Metropolitan Affairs
Water tank service contract bidding exception provided.

HF2996—Mares (R)
Governmental Operations & Veterans Affairs Policy
Local government correctional service retirement plan contribution rate increases eliminated.

HF2997—Rukavina (DFL)
Higher Education Finance
Mesabi Range Community and Technical College renovation bonds issued and money appropriated.

HF2998—Gray (DFL)
Health & Human Services Finance
Hennepin County Reuben Linde family services facility grant provided, and money appropriated.

HF2999—Ozment (R)
Local Government & Metropolitan Affairs
Municipal aggregate material removal fee in the metropolitan area provided.

HF3000—Rukavina (DFL)
Environment & Natural Resources Policy
Snowmobile auxiliary light power and switches required.

HF3001—Rukavina (DFL)
Health & Human Services Policy
MinnesotaCare eligibility requirements modified.

HF3002—Holsten (R)
Transportation Policy
Emergency responder operation of vehicles with flashing lights and sirens permitted.

HF3003—Knoblach (R)
Environment & Natural Resources Finance
Minnesota public regional parks organizations grants provided, bonds issued, and money appropriated.

HF3004—Jacobson (R)
Governmental Operations & Veterans Affairs Policy
Veterans organizations expenditures allowed as lawful purpose gambling expenditures in certain instances.

HF3005—Howes (R)
Family & Early Childhood Education Finance
Mighty books grant program established, bonds issued, and money appropriated.

HF3006—Gray (DFL)
Taxes
Education income tax credit modified.

HF3007—Olson (R)
Local Government & Metropolitan Affairs
Local government state mandate opt-out procedure provided.

HF3008—Olson (R)
Jobs & Economic Development Finance
Bakery products including bread specifically exempted from the prepared food sales tax, and biomedical and commercialization initiative repealed.

HF3009—Olson (R)
Taxes
Motor vehicle sales tax deposited in highway user tax distribution fund.

HF3010—Olson (R)
Education Policy
American Heritage Education in Minnesota Public Schools Act adopted.

HF3011—McElroy (R)
Jobs & Economic Development Finance
Dakota County Housing Opportunity Enhancement Fund and supportive housing matching grants provided, bonds issued, and money appropriated.

HF3012—Mulder (R)**Civil Law**

Health care provider client information release without consent of the client permitted in certain instances.

HF3013—Mulder (R)**Health & Human Services Policy**

Psychology practice definition modified; emeritus registration of psychological practitioners provided; and mental, physical, or chemical dependency examinations for regulated individuals provided.

HF3014—Huntley (DFL)**Taxes**

Duluth sales tax collection date delayed.

HF3015—Seifert (R)**Education Policy**

State mathematics exam administered to the commissioner of Children, Families and Learning, and results published on-line.

HF3016—Opatz (DFL)**Jobs & Economic****Development Finance**

Workers' compensation assigned risk plan surplus transferred to state dislocated worker program.

HF3017—Clark, K. (DFL)**Jobs & Economic****Development Finance**

Transitional housing loans funded, bonds issued, and money appropriated.

HF3018—Ozment (R)**Environment & Natural****Resources Finance**

Citizens advisory committee for the environment and natural resources trust fund funding provided for specified projects and money appropriated.

HF3019—Hausman (DFL)**Transportation Finance**

Central Corridor Transitway bonds issued and money appropriated.

HF3020—Koskinen (DFL)**Crime Prevention**

False information presentation for background studies prohibited, hiring of persons convicted of violent crimes prohibited in licensed health and human services facilities, and penalties prescribed.

HF3021—Juhnke (DFL)**Health & Human Services Policy**

Willmar and Fergus Falls regional treatment centers hiring and layoff freeze implemented.

HF3022—Bernardy (DFL)**K-12 Education Finance**

Basic education formula allowance locally controlled inflationary increase authorized when the state responsibility is not met.

HF3023—Juhnke (DFL)**Health & Human Services Policy**

Willmar Regional Treatment Center hiring and layoff freeze implemented.

HF3024—Opatz (DFL)**Transportation Finance**

Northstar commuter rail system construction bonds issued and money appropriated.

HF3025—Peterson (DFL)**Environment & Natural****Resources Policy**

Land acquisition procedures and certain local planning regulations modified, certain state parks and state recreation area land modified, state land sales in specified counties authorized, and money appropriated.

HF3026—Kuisle (R)**Governmental Operations &****Veterans Affairs Policy**

School district elections administered by county.

HF3027—Kuisle (R)**K-12 Education Finance**

Interactive television and telecommunications access permanent revenue provided.

HF3028—Bishop (R)**Judiciary Finance**

Rochester area public safety training center bonds issued and money appropriated.

HF3029—Boudreau (R)**Governmental Operations &****Veterans Affairs Policy**

Energy building code requirements changed in certain instances.

HF3030—Buesgens (R)**Local Government &****Metropolitan Affairs**

Metropolitan Council existing service capacity external use provided, depreciation rate modified as pertains to ownership of existing facilities, and obsolete rules repealed.

HF3031—Mulder (R)**Health & Human Services Policy**

Minnesota Emergency Health Powers Act adopted, emergency declaration provisions modified, health conditions reporting required, property control special powers authorized, penalties provided, and money appropriated.

HF3032—Pugh (DFL)**Environment & Natural****Resources Finance**

South St. Paul North Urban Regional Trail completion bonds issued, and money appropriated.

HF3033—Seagren (R)**Education Policy**

Minnesota State Colleges and Universities property agreements limitation modified.

HF3034—Holberg (R)**Civil Law**

School bus driver background check procedure modified, criminal history checks for certain liquor license applicants authorized, and use of data collected on employees of certain license holders clarified.

HF3035—Boudreau (R)**K-12 Education Finance**

Minnesota state academies capital improvements provided, bonds issued, and money appropriated.

HF3036—Seifert (R)**Environment & Natural****Resources Finance**

LQP-25/Lazarus creek floodwater retention project bonds issued and money appropriated.

HF3037—Workman (R)**Governmental Operations &****Veterans Affairs Policy**

Camp Coldwater Springs diminishing water flow prohibition repealed.

HF3038—Penas (R)**Agriculture Policy**

Anthrax vaccine administration to livestock regulations modified.

HF3039—Westrom (R)**Transportation Policy**

Trunk Highway 55 reconstruction project enacted.

HF3040—Walker (DFL)**Health & Human Services Policy**

Minnesota Family Investment Program assistance 60-month time limit moratorium imposed.

HF3041—Marquart (DFL)**Civil Law**

Non-designated addresses on license applications declared private data.

HF3042—Ozment (R)**Environment & Natural****Resources Finance**

Scientific and natural area acquisition, restoration, and improvement funding provided, bonds issued, and money appropriated.

HF3043—Clark, J. (R)**Environment & Natural****Resources Finance**

Stream restoration project funding provided, bonds issued, and money appropriated.

HF3044—Mulder (R)**K-12 Education Finance**

Consolidated school district facility funding provided for Independent School District Nos. 402, 403, 404, 409, 411, 418, and 584; bonds issued, and money appropriated.

HF3045—Seagren (R)**Education Policy**

School board sponsorship of autonomous charter school allowed.

HF3046—Jacobson (R)**Governmental Operations &****Veterans Affairs Policy**

Lawful gambling premises rent limits provided and certain persons prohibited to be employed in the sale of pull-tabs.

HF3047—Kuisle (R)**Transportation Policy**

Joint county highway status provisions, requirements mandating a list of engineers and rule transmission to county auditors, and obsolete rules abolished; commissioner authority modified, and driveway design standards repealed.

HF3048—Workman (R)**Crime Prevention**

Criminal penalties for persons who promote, advocate, and take responsibility for criminal acts provided.

HF3049—Tuma (R)**Crime Prevention**

Predatory offender lifetime registration required after second conviction.

HF3050—Westerberg (R)**Taxes**

Smoking cessation devices exempted from sales taxes.

HF3051—Olson (R)**Commerce, Jobs &****Economic Development**

Loan default notice to third party cosigners required.

HF3052—Peterson (DFL)**Agriculture Policy**

Permission to work in public waters requirement clarified and criteria for wetland replacement plans modified.

HF3053—Olson (R)**Commerce, Jobs &****Economic Development**

Migrant labor camp rules made effective until July 1, 2003.

HF3054—Ozment (R)**Redistricting**

Legislature redistricting plan adopted for use in 2002 and thereafter.

HF3055—Pawlenty (R)**Jobs & Economic****Development Finance**

Property tax-free zones established, tax exemptions for individuals and businesses in tax-free zones provided, repayment of tax benefits and state aid provided, and money appropriated.

HF3056—Finseth (R)**Environment & Natural****Resources Finance**

Red River state recreation area visitor center construction bonds issued, and money appropriated.

HF3057—Kielkucki (R)**Education Policy**

Minnesota State High School League corporate partnerships permitted.

HF3058—Pugh (DFL)**Commerce, Jobs & Economic Development**

West St. Paul additional on-sale liquor licenses authorized.

HF3059—Larson (DFL)**Civil Law**

Putative father notice provision modified.

HF3060—Finseth (R)**Agriculture Policy**

Ethanol production facility authorized.

HF3061—Dibble (DFL)**Local Government & Metropolitan Affairs**

Metropolitan sewer interceptor facility transfer or disposal provided.

HF3062—Smith (R)**Civil Law**

Hennepin and Ramsey counties juvenile court judge term of service limitations repealed.

HF3063—Cassell (R)**Environment & Natural Resources Policy**

Douglas County sale of tax-forfeited land bordering public water authorized.

HF3064—Rifenberg (R)**Taxes**

Food and drink sale, purchase, and food products defined for purposes of taxation.

HF3065—Workman (R)**Transportation Finance**

Trunk highway turnback and contemplated turnback rehabilitation funding provided, bonds issued, and money appropriated.

HF3066—Osthoff (DFL)**Capital Investment**

Park building projects of local metropolitan governments exempted from state pre-design requirements.

HF3067—Clark, J. (R)**Jobs & Economic****Development Finance**

Children's Theatre Company renovation and construction funding provided, Hennepin County art museum and auditorium project authorized, and money appropriated.

HF3068—Wolf (R)**K-12 Education Finance**

School district staff development revenue reservation requirement lifted.

HF3069—Wolf (R)**Education Policy**

School district timely submission of teacher contract settlement information required.

HF3070—Bradley (R)**Health & Human Services Policy**

Medical assistance and MinnesotaCare billing consent requirements modified for covered individual education plan services.

HF3071—Mullery (DFL)**Transportation Policy**

License plates; "Proud to be an American" and "Proud to be a Veteran" special license plates created.

HF3072—Seagren (R)**Jobs & Economic Development Finance**

Bloomington Center for the Arts funding provided, bonds issued, and money appropriated.

HF3073—Osskopp (R)**Governmental Operations & Veterans Affairs Policy**

Bingo electronic devices and linked bingo games provided, lawful gambling prize amounts and definitions provided, and pull-tab dispensing device procedures modified.

HF3074—Ruth (R)**Local Government & Metropolitan Affairs**

Steele County recorder appointment authorized.

HF3075—Ruth (R)**Agriculture & Rural Development Finance**

FarmAmerica emergency operating expenses funding provided, and money appropriated.

HF3076—Knoblach (R)**Transportation Policy**

Funeral procession escort private vehicle authorized to use flashing red lights and to access traffic control signal override system.

HF3077—Stang (R)**Environment & Natural Resources Finance**

Lake Koronis recreational trail funding provided, bonds issued, and money appropriated.

HF3078—Stang (R)**Commerce, Jobs & Economic Development**

Real estate industry licensee conduct regulated, disclosures modified, and investigations by commerce commissioner regulated.

HF3079—Holberg (R)**Civil Law**

Residential real estate sale disclosure requirements provided.

HF3080—Stanek (R)**Governmental Operations & Veterans Affairs Policy**

Metropolitan transit police part-time officers pension coverage provided, employment restriction removed, and search warrant powers granted.

HF3081—Bernardy (DFL)**K-12 Education Finance**

Independent School District No. 14, Fridley, levy authorized.

HF3082—Jennings (DFL)**Commerce, Jobs & Economic Development**

Wage credits earned by school food service employees used for specified unemployment benefit purposes.

HF3083—Hausman (DFL)**Transportation Finance**

Highway construction mitigation bus service spending limit provision abolished.

HF3084—Murphy (DFL)**Higher Education Finance**

University of Minnesota, Duluth, rapid prototype machine funding provided, bonds issued, and money appropriated.

HF3085—Gunther (R)**Jobs & Economic Development Finance**

Fairmont athletic facilities expansion and improvement grant provided, bonds issued, and money appropriated.

HF3086—Haas (R)**Family & Early Childhood****Education Finance**

Childcare assistance data and information provisions modified.

HF3087—Tingelstad (R)**Education Policy**

School building construction and repair 10-year warranty required.

HF3088—Jacobson (R)**Transportation Finance**

I-35W and County Road J interchange construction funding provided, bonds issued, and money appropriated.

HF3089—Gerlach (R)**Crime Prevention**

Dakota County inmates required to contribute to costs of incarceration.

HF3090—McGuire (DFL)**Family & Early Childhood****Education Finance**

Childcare assistance basic sliding fee appropriation for 2003 modified.

HF3091—Abeler (R)**Health & Human Services Policy**

Licensed programs serving persons with mental retardation or related conditions incident and emergencies reporting standards modified.

HF3092—Abeler (R)**Civil Law**

Health care provider immunity granted for providing specific reference check data to a prospective new employer.

HF3093—Boudreau (R)**Health & Human Services Finance**

ICF/MRs downsizing, relocation, and access needs funding provided, and money appropriated.

HF3094—Osskopp (R)**Agriculture & Rural****Development Finance**

Minnesota Extension Service funding provided, mission clarified, and money appropriated.

HF3095—Tingelstad (R)**Health & Human Services Policy**

Asthma surveillance system established, and money appropriated.

HF3096—Gerlach (R)**Local Government & Metropolitan Affairs**

Metropolitan Airports Commission civil air patrol lease agreements regulated.

HF3097—Folliard (DFL)**Education Policy**

School districts and charter schools required to use a uniform teacher employment application form.

HF3098—Jennings (DFL)**K-12 Education Finance**

Interactive web-based and independent study programs extended.

HF3099—Rukavina (DFL)**Commerce, Jobs & Economic Development**

Additional unemployment benefits requirements modified.

HF3100—Sertich (DFL)**Commerce, Jobs & Economic Development**

Unemployment insurance benefits alternate base period provided.

HF3101—Seifert (R)**Education Policy**

State-mandated school district reports reduction task force established.

HF3102—Osskopp (R)**Health & Human Services Finance**

Rate increase provided for a specified hospital, and money appropriated.

HF3103—Stanek (R)**Jobs & Economic Development Finance**

Colin Powell Youth Center construction provided for educational and job training support to disadvantaged youth, and money appropriated.

HF3104—Dorn (DFL)**Jobs & Economic Development Finance**

DM&E railroad mitigation grants provided to cities, bonds issued, and money appropriated.

HF3105—Kuisle (R)**Environment & Natural Resources Policy**

Pollutant release into state waters prohibition modified.

HF3106—Huntley (DFL)**Agriculture Policy**

Congress and the Food and Drug Administration urged by resolution to take steps to protect the health of the people and to maintain effectiveness of human antibiotics.

HF3107—Blaine (R)**Agriculture & Rural Development Finance**

Agricultural fund revolving account language clarified.

HF3108—Rhodes (R)**Regulated Industries**

911 emergency telephone services maximum fee increased and department of administration assessable expenses eliminated.

HF3109—Gunther (R)**Jobs & Economic Development Finance**

Wastewater infrastructure funding program modified.

HF3110—Abeler (R)**Crime Prevention**

Chiropractic practice restricted to authorized firms, fee splitting specified, and criminal penalties provided.

HF3111—Stanek (R)**Transportation Finance**

Northwest metro busway between Rogers and Minneapolis funded, bonds issued, and money appropriated.

HF3112—Eastlund (R)**Local Government & Metropolitan Affairs**

Counties authorized to require dedication of land for public parks.

HF3113—Rhodes (R)**K-12 Education Finance**

Independent School District No. 283, St. Louis Park, metropolitan magnet school grant authorized, bonds issued, and money appropriated.

HF3114—Stanek (R)**Transportation Finance**

Transportation department radio communications system infrastructure funding provided, and money appropriated.

HF3115—Blaine (R)**Agriculture & Rural Development Finance**

University of Minnesota veterinary diagnostic laboratory building funding provided, bonds issued, and money appropriated.

HF3116—Ozment (R)**Environment & Natural Resources Policy**

Environmental and natural resources trust fund responsibilities and fund availability modified, land compliance failure penalty provided, and notices required.

HF3117—Ozment (R)**Civil Law**

Minnesota environmental response and liability act statute of limitations to recover response costs clarified.

HF3118—Seagren (R)**Education Policy**

Charter school formation by school board provided.

HF3119—Juhnke (DFL)**Higher Education Finance**

Ridgewater Community and Technical College laboratories renovation funding provided, bonds issued, and money appropriated.

HF3120—Kubly (DFL)**Agriculture & Rural Development Finance**

Minnesota center for agricultural innovation funding provided, bonds issued, and money appropriated.

HF3121—Koskinen (DFL)**Civil Law**

Human services licensing background check provisions modified and penalties provided.

HF3122—Knoblach (R)**Capital Investment**

Capital improvements funding provided, state bonds issued, previous appropriations canceled, Greater Minnesota redevelopment program created, and money appropriated.

HF3123—Osskopp (R)**Environment & Natural Resources Finance**

Wabasha County Great River Ridge trail funding provided, bonds issued, and money appropriated.

HF3124—Osskopp (R)**Environment & Natural Resources Finance**

Goodhue Pioneer trail funding provided, bonds issued, and money appropriated.

HF3125—Wolf (R)**Regulated Industries**

Telecommunications access for communication-impaired persons program renamed telecommunications access Minnesota program, and contracting provisions modified.

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MONDAY, Feb. 11

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

Basement Hearing Room
State Office Building
Chr. Rep. Jim Rhodes
Agenda: HF2698 (Paulsen) Board of Physical Therapy rulemaking authority on licensee ethics extended.
HF2550 (Osskopp) Emergency 911 telephone system provisions modified to establish emergency telecommunications system.
More to be announced.

HEALTH & HUMAN SERVICES POLICY

10 State Office Building
Chr. Rep. Fran Bradley
Agenda: HF2925 (Boudreau) Health care service prior authorization agreements modified, and provider contracting requirements established.
HF2755 (Haas) Health insurance form and rate filing requirements modified, task force on small business health insurance extended, geographic premium variations modified, and renewal premium increases cap established.
HF2641 (Bradley) Health plan company regulation modified, prescription drug discount program established, Minnesota provider tax and tobacco tax provisions modified, malpractice punitive damage limit imposed, and money appropriated.

JOBS & ECONOMIC DEVELOPMENT FINANCE

200 State Office Building
Chr. Rep. Dan McElroy
Agenda: Monday Morning Meeting - Presentation of Governor's supplemental budget reductions: Department of Trade and Economic Development; Department of Economic Security; Minnesota Technology Inc.; Bureau of Mediation.
Public testimony.
Note: The committee will reconvene Monday evening at 6:15 p.m. in 200 State Office Building.
Monday Evening Meeting - Presentation of agency bonding projects: Minnesota Historical Society; Minnesota Housing Finance Agency; Department of Trade and Economic Development; Iron Range Resources and Rehabilitation Board.

TRANSPORTATION FINANCE

5 State Office Building
Chr. Rep. Carol Molnau
Agenda: Mike Schadauer, MnDOT's Northstar Commuter Rail Project Manager.

10:15 a.m.

CIVIL LAW

Basement Hearing Room
State Office Building
Chr. Rep. Steve Smith
Agenda: HF2819 (Tingelstad) Assisted reproduction act adopted authorizing collaborative reproduction agreements and embryo agreements.
HF2735 (Greiling) Civil commitment standards conformity provided, and courts authorized to commit certain persons with mental illnesses to community hospitals.
HF2627 (Holberg) Employee and employer identity information exchange between Department of Labor and Industry and Department of Revenue authorized.
HF2785 (Goodno) Limited liability companies and business corporations, corporate name usage, and investment company share issuance procedures regulated; electronic record and signature legal recognition provided.
Note: Any agenda items not completed in the morning will be heard in 300S State Office Building 15 minutes after session.

ENVIRONMENT & NATURAL RESOURCES FINANCE

10 State Office Building
Chr. Rep. Mark Holsten
Agenda: Omnibus budget discussion.
Note: The committee will meet 10:15 a.m. to 12 noon and reconvene at 4 p.m. or after session.

HIGHER EDUCATION FINANCE

300S State Office Building
Chr. Rep. Peggy Leppik
Agenda: HFXXXX (Leppik) 2002 Supplemental Appropriations Bill mark-up.

K-12 EDUCATION FINANCE

5 State Office Building
Chr. Rep. Alice Seagren
Agenda: HF2866 (Dorman) Authorizing declining pupil unit aid to Independent School District No. 241, Albert Lea.
HF2867 (Dorman) Modifying equity revenue for school districts.
HF1052 (Leighton) Extending the disabled access levy for Independent School District No. 500, Southland.
HF2918 (Jennings) Extending the disabled access levy for Independent School District No. 578, Pine City.
HF2910 (Davnier) Restoring integration revenue to Special School District No. 1, Minneapolis; proposing a study on student mobility.

Property Tax Division/TAXES

200 State Office Building
Chr. Rep. Ron Erhardt
Agenda: HF2817 (Stang) Homestead property

tax classification extended to certain property used for non-homestead purposes.

HF2822 (Clark, J.) Homestead property tax classification extended to certain property used for non-homestead purposes.

HF2718 (Mulder) Homestead property tax classification extended to specified non-homestead property.

HF2614 (Dehler) Local government aid city aid base increased for specified cities.

HF2633 (Ness) Local government aid city aid base increased for City of Hutchinson.

HF2638 (Ness) Local government aid city aid base increased for City of Darwin.

12:30 p.m.

FAMILY & EARLY CHILDHOOD EDUCATION FINANCE

5 State Office Building
Chr. Rep. Barb Sykora
Agenda: Agency Bill - Department of Children, Families and Learning (Revisor #02-4843 to be introduced 02-07-02).

LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building
Chr. Rep. Jerry Dempsey
Agenda: Report to the Minnesota Legislature on Municipal Boundary Adjustments: Dean Barkley, director of Minnesota Planning, Office of Strategic and Long Range Planning; Christine Scotillo, executive director, Municipal Boundary Adjustments, Office of Strategic and Long Range Planning.
HF1297 (Dempsey) Office of Strategic and Long-range Planning authority transfer from municipal board statutory conforming changes provided, and delegation by the director authorized.
HF2637 (Ozment) Temporary town officeholders authorized in the event of inability or refusal to serve.
HF2849 (Tuma) Closed public meetings authorized to discuss items relating to security.

REGULATED INDUSTRIES

10 State Office Building
Chr. Rep. Ken Wolf
Agenda: HFXXXX (Wolf) Relating to energy; making technical corrections to the 2001 omnibus energy bill.
HFXXXX (Wolf) Relating to telecommunications; changing the name of telecommunications access for communication-impaired persons program.
Continued discussion of the following bills:
HF2778 (Wolf) Relating to telecommunications, establishing a special master, authorizing the PUC to order structural separation, and increasing civil and administrative penalties.
HF2919 (Jennings) Relating to telecommunications; promoting competition within local exchange marketplace; providing

criteria for structural separation of retail and wholesale activities of large incumbent local exchange carriers into affiliated companies for violations of standards of conduct.

3 p.m.

THE HOUSE MEETS IN SESSION.

6 p.m.

AGRICULTURE POLICY

5 State Office Building

Chr. Rep. Tim Finseth

Agenda: HF2909 (Stanek) Terrorism prevention integrated public policy established, data classification and sharing authorized, penalties provided, and money appropriated.

TUESDAY, Feb. 12

8:15 a.m.

EDUCATION POLICY

200 State Office Building

Chr. Rep. Harry Mares

Agenda: HF1149 (Mares) Educational data classification and dissemination provided.

HF2598 (Cassell) Pledge of allegiance recitation required in all public schools, and United States flag respect instruction provided.

Other items may be added.

HEALTH & HUMAN

SERVICES POLICY

10 State Office Building

Chr. Rep. Fran Bradley

Agenda: HF2932 (Sykora) Communicable disease disclosure to a foster care provider required.

HF2903 (Goodno) Radiation therapy facility major spending commitment requirements modified.

HF2757 (Abeler) Human services licensure; commissioner's authority to set aside a disqualification limited.

HF2635 (Bradley) Individual education plan services billing consent requirements modified for billing medical assistance and MinnesotaCare.
HFXXXX (Abeler) Modifying standards for reporting incidents and emergencies in licensed programs serving people with mental retardation or related conditions.

HF2640 (Wilkin) Medical assistance, MinnesotaCare, or general assistance medical care; persons wrongfully obtaining assistance disqualified.

HFXXXX (Abeler) Providing employer immunity for reference checks for certain health care providers and facilities.

HF2848 (Tuma) Biological agents registry established, rulemaking and civil penalties authorized, and money appropriated.

HFXXXX (Mulder) Minnesota Emergency Health Powers Act.

HF2625 (Seifert) Minnesota clean indoor air act new or amended rules legislative approval required.

HF2664 (Bradley) Supplemental nursing services agencies requirements modified.

More bills may be added.

Note: This meeting will continue in 10 State Office Building at 4 p.m.

JUDICIARY FINANCE

Basement Hearing Room

State Office Building

Chr. Rep. Rich Stanek

Agenda: Discussion of Judiciary Finance funding bill.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room

State Office Building

Chr. Rep. John Tuma

Agenda: Department of Public Safety Initiatives: HF2842 (Tuma) DPS - Electronic signatures for blood samples.

HF3049 (Tuma) Lifetime registration for certain sex offenders.

HFXXXX (Tuma) Minnesota Center for Crime Victim Services - clean-up.

HF2618 (Holberg) Requiring public employees to report certain crimes.

HF2687 (Entenza) Sales tax on motor vehicles (criminal penalties).

Note: Additional bills may be added.

ENVIRONMENT & NATURAL RESOURCES POLICY

10 State Office Building

Chr. Rep. Dennis Ozment

Agenda: HF3116 (Ozment) Environmental and Natural Resources Trust Fund responsibilities and fund availability modified, land compliance failure penalty provided, and notices required.
HF2604 (Ozment) Deer hunting lifetime firearms and archery license provided.

HF2775 (Mulder) Casey Jones State Trail length and use provisions expanded.

STATE GOVERNMENT FINANCE

300N State Office Building

Chr. Rep. Philip Krinkie

Agenda: Review of Governor's bonding recommendations: Department of Administration.

Local arts organization bonding requests.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: Continuation of public testimony on Governor's tax proposal.

Department of Revenue response to public testimony.

HF2878 (Abrams) Department of Revenue; Taxation technical and administrative modifications provided.

HF2875 (Abrams) Department of Revenue; tax data classification and disclosure provisions technical changes provided.

HFXXXX (Abrams) Department of Revenue; taxation; policy and administrative changes.

HF2666 (Dorman) Tax amnesty program established.

12:30 p.m.

AGRICULTURE & RURAL DEVELOPMENT FINANCE

10 State Office Building

Chr. Rep. Bob Ness

Agenda: Consideration of capital bonding requests from the Minnesota Department of Agriculture.

HF2963 (Blaine) Farm manure digester loan eligibility expanded.

HF3115 (Blaine) University of Minnesota veterinary diagnostic laboratory building funding provided, bonds issued, and money appropriated.

HFXXXX (Ness) Omnibus Agriculture and Rural Development Finance Bill.

Note: Those wishing to testify on the above bills should contact Committee Administrator Craig Clark.

CAPITAL INVESTMENT

5 State Office Building

Chr. Rep. Jim Knobloch

Agenda: Discussion of proposals for capital budget funding including:

Cambridge Regional Treatment Center demolition schedule (Eastlund);

Hastings hydro-electric Plant (Dempsey);

Bemidji State University/Northwest Tech co-location (Fuller);

Wastewater infrastructure funding, Terry Kuhlman, Public Facilities Authority Executive Director; and

Flood hazard mitigation, Kent Lokkesmoe, Department of Natural Resources Waters Division.

COMMERCE, JOBS & ECONOMIC DEVELOPMENT POLICY

200 State Office Building

Chr. Rep. Greg Davids

Agenda: HF2570 (Wolf) Automobile insurance authorized to cover damage to glass on the same basis as damage to other parts of an automobile, auto glass market survey revolving account repealed, and money appropriated.

HF2714 (Rukavina) Auto glass repair and replacement regulated.

HF175 (Ozment) Relating to fire safety; requiring the state fire marshal to adopt rules for fire retardant standards for cigarettes.

HF2517 (Clark, K.) Ovarian cancer screening insurance coverage provided.

HF2766 (Haas) Motor vehicle fuel franchise sale federal code compliance expiration date removed.

HF2573 (Juhnke) Real estate task force funding surcharge omission corrected.

*****NOTE TIME & ROOM CHANGE*****

**ENVIRONMENT & NATURAL RESOURCES
FINANCE**

400N State Office Building
Chr. Rep. Mark Holsten

Agenda: Omnibus budget discussion.

6 p.m.

**Legislative Commission on Pensions and
Retirement**

112 State Capitol
Chr. Sen. Dean Johnson
Agenda: To be announced.

WEDNESDAY, Feb. 13

8:15 a.m.

**GOVERNMENTAL OPERATIONS &
VETERANS AFFAIRS POLICY**

Basement Hearing Room
State Office Building
Chr. Rep. Jim Rhodes
Agenda: HF2662 (Stanek) Interstate compact for adult offender supervision adopted, existing compact repealed, advisory council created, administrator appointed, and money appropriated.
More to be announced.

**HEALTH & HUMAN
SERVICES POLICY**

10 State Office Building
Chr. Rep. Fran Bradley
Agenda: HF1517 (Wilkin) Swimming pool requirements established for family day care homes and municipalities provided immunity from claims based on provider's failure to comply.
HF2600 (Mulder) Wading pools at family day care homes exempted from public swimming pool requirements.
HF2702 (Mulder) Nurse licensure compact enacted.
More bills may be added.

**JOB'S & ECONOMIC
DEVELOPMENT FINANCE**

200 State Office Building
Chr. Rep. Dan McElroy
Agenda: Presentation of local bonding projects: HF2644 (Pawlenty) Veterans and single homeless adult housing projects authorized, bonds issued, and money appropriated.
HF990 (Dawkins) St. Paul community center and armory grant provided, bonds issued, and money appropriated.
HF2859 (Bach) Lake Superior border municipalities wastewater facilities funding provided, bonds issued, and money appropriated.

HF932 (Swenson) Regional sludge management demonstration project appropriated money.
HF483 (Solberg) Floodwood business and industrial park grant provided, bonds issued, and money appropriated.
HF2648 (Ness) Dassel wastewater treatment facilities improvements authorized, bonds issued, and money appropriated.

TRANSPORTATION FINANCE

5 State Office Building
Chr. Rep. Carol Molnau
Agenda: Proposed budget cuts.

10:15 a.m.

CIVIL LAW

Basement Hearing Room
State Office Building
Chr. Rep. Steve Smith
Agenda: HF2826 (Dawkins) Hmong Mej Koob marriage solemnization recognized.
HF2649 (Smith) Personal data related to operation of a motor vehicle disclosure by the Department of Public Safety provided.
HF856 (Kielkucki) Liability limited for specified nonprofit corporations maintaining homes for dependent children, providing day training and habilitation services or day services for children with mental retardation and related conditions.
HF2723 (Clark, K.) Undocumented noncitizens qualified as Minnesota residents for higher education purposes.
Note: Any agenda items not completed in the morning will be heard in 300S State Office Building 15 minutes after session.

**ENVIRONMENT & NATURAL
RESOURCES FINANCE**

10 State Office Building
Chr. Rep. Mark Holsten
Agenda: Omnibus budget bill.
Note: The committee will meet 10:15 a.m. to 12 noon and reconvene in 5 State Office Building at 4 p.m. or after session.

HIGHER EDUCATION FINANCE

300S State Office Building
Chr. Rep. Peggy Leppik
Agenda: HFXXXX (Leppik) 2002 Supplemental Appropriations Bill mark-up.

K-12 EDUCATION FINANCE

5 State Office Building
Chr. Rep. Alice Seagren
Agenda: To be announced.

Sales and Income Tax Division/TAXES

200 State Office Building
Chr. Rep. Elaine Harder
Agenda: Overview presentation by the Department of Revenue regarding recent actions of the Streamline Sales Tax Project and problems with the implementation of last year's changes. After the presentation, the committee will take up one bill:

HF2876 (Abrams) Exempts certain bakery products from the definition of prepared food.

12:30 p.m.

AGRICULTURE POLICY

10 State Office Building
Chr. Rep. Tim Finseth
Agenda: HF2909 (Skoe) Clarifies definition of pastures for animal feedlot regulation.
HF2865 (Cassell) Clarifying exemptions for pastures under animal feedlot permit rules.
HF2739 (Dorman) Modifying expenditure limits for upgrading feedlots.
HF2708 (Ness) Clarifying a definition related to the Minnesota Extension Service.
Note: If necessary, the committee will reconvene after session in 10 State Office Building.

**COMMERCE, JOBS &
ECONOMIC DEVELOPMENT POLICY**

Basement Hearing Room
State Office Building
Chr. Rep. Greg Davids
Agenda: HF2492 (Davids) Credit scoring; consumer credit information use prohibited for homeowner and auto insurance underwriting.
HF2719 (Leppik) Uniform athlete agents act providing student athlete agent registration adopted, and money appropriated.
HF2726 (Stang) Motor vehicle dealer transfers deadline clarified.
HF2525 (Hackbarth) Employers required to allow unpaid leave for employees performing volunteer firefighter duties.
HF2629 (Stanek) Retired individuals license by the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design authorized to use a retired professional designation.

**FAMILY & EARLY CHILDHOOD EDUCATION
FINANCE**

5 State Office Building
Chr. Rep. Barb Sykora
Agenda: Delete All Amendment to HF2901 (Sykora) To be Committee Omnibus Bill.

**LOCAL GOVERNMENT & METROPOLITAN
AFFAIRS**

200 State Office Building
Chr. Rep. Jerry Dempsey
Agenda: HF2836 (Gunther) Region Nine Development Commission authorized to establish a specific nonprofit corporation to reduce the region's dependence on tax dollars.
HF2774 (Howes) Annexation of unincorporated land procedures and criteria provided.
HF2753 (Hilty) Carlton County recorder appointment authorized.
HF2908 (Hilty) Pine County recorder and assessor office combination authorized.

3 p.m.

THE HOUSE MEETS IN SESSION.

4 p.m. or 30 minutes after session

**Health Care Licensing and Mandates
Subcommittee/HEALTH & HUMAN
SERVICES POLICY**

5 State Office Building
Chr. Rep. Fran Bradley

Agenda: HF813 (Goodno) Licensed mental health counseling board established, licensure requirements provided, rulemaking authorized, penalties imposed, and money appropriated. HF1224 (Davids) Medical response unit registration provided.

6 p.m.

JUDICIARY FINANCE

200 State Office Building
Chr. Rep. Rich Stanek

Agenda: Discussion of Judiciary Finance funding bill.

THURSDAY, Feb. 14

8:15 a.m.

EDUCATION POLICY

200 State Office Building
Chr. Rep. Harry Mares
Agenda: To be determined.

**HEALTH & HUMAN
SERVICES POLICY**

10 State Office Building
Chr. Rep. Fran Bradley
Agenda: To be announced.

JUDICIARY FINANCE

Basement Hearing Room
State Office Building
Chr. Rep. Rich Stanek

Agenda: Discussion of Judiciary Finance funding bill.

TRANSPORTATION POLICY

5 State Office Building
Chr. Rep. Tom Workman
Agenda: HF2847 (Tuma) Temporary licenses issued for certain foreign persons, hazardous materials drivers' endorsement regulations established, endorsements canceled for specified offenses, and money appropriated. HF1885 (Workman) Licensed motor vehicle dealer bonding requirements clarified. HF2884 (Osskopp) Maximum weight limit for milk trucks regulated.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room
State Office Building
Chr. Rep. John Tuma

Agenda: HF1543 (Holsten) Legalizing certain fireworks.

Note: Other bills will be added.

**ENVIRONMENT & NATURAL
RESOURCES POLICY**

10 State Office Building
Chr. Rep. Dennis Ozment

Agenda: HF2814 (Ozment) State agencies required to purchase clean fuels and vehicles capable of running on clean fuels if available. HF2691 (Tingelstad) Pollution Control Agency required to amend rule to provide for bioremediation technologies in failed individual sewage treatment systems. HF2889 (Howes) Individual sewage treatment system installation authorized in certain circumstances.

Note: Additional bills may be added.

TAXES

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

STATE GOVERNMENT FINANCE

300N State Office Building
Chr. Rep. Philip Krinkie
Agenda: Review of Governor's supplemental budget proposals.

12:30 p.m.

**AGRICULTURE & RURAL
DEVELOPMENT FINANCE**

10 State Office Building
Chr. Rep. Bob Ness

Agenda: Committee consideration of the Omnibus Agriculture and Rural Development Finance Bill.

CAPITAL INVESTMENT

5 State Office Building
Chr. Rep. Jim Knoblach

Agenda: Overview of Transportation Finance and related issues including: Local roads and bridges; Northwest Commuter Busway; and North Star Commuter Rail.

**COMMERCE, JOBS & ECONOMIC
DEVELOPMENT POLICY**

200 State Office Building
Chr. Rep. Greg Davids

Agenda: HF2751 (Stang) Relating to financial institutions; providing for the organization, operation, and regulation of credit unions. HFXXXX (Ruth) Overinsurance Bill. HF2922 (Sertich) Background check, credit check, testing, or orientation costs payment by employees prohibited.

3 p.m.

THE HOUSE MEETS IN SESSION.

FRIDAY, Feb. 15

8:15 a.m.

**GOVERNMENTAL OPERATIONS &
VETERANS AFFAIRS POLICY**

Basement Hearing Room
State Office Building
Chr. Rep. Jim Rhodes
Agenda: To be announced.

**HEALTH & HUMAN
SERVICES FINANCE**

10 State Office Building
Chr. Rep. Kevin Goodno
Agenda: To be announced.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room
State Office Building
Chr. Rep. John Tuma
Agenda: To be announced.

Note: This meeting is scheduled to last until 6 p.m. or as needed to complete the agenda.

HIGHER EDUCATION FINANCE

300S State Office Building
Chr. Rep. Peggy Leppik
Agenda: University of Minnesota capital investment request.

K-12 EDUCATION FINANCE

5 State Office Building
Chr. Rep. Alice Seagren
Agenda: To be announced.

12:30 p.m.

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

Room to be announced
State Office Building
Chr. Rep. Mark Buesgens
Agenda: To be announced.

WAYS & MEANS

200 State Office Building
Chr. Rep. David Bishop
Agenda: To be determined.

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Minnesota House of Representatives 2002 Members

District/Member/Party			Phone (651) 296-	District/Member/Party			Phone (651) 296-
		Room*				Room*	
49A	Abeler, Jim (R)	581	1729	27B	Leighton, Rob (DFL)	289	4193
45A	Abrams, Ron (R)	585	9934	40B	Lenczewski, Ann (DFL)	337	4218
19B	Anderson, Bruce (R)	411	5063	45B	Leppik, Peggy (R)	485	7026
3A	Anderson, Irv (DFL)	343	4936	2A	Lieder, Bernie L. (DFL)	323	5091
6A	Bakk, Thomas (Tom) (DFL)	345	2190	33A	Lindner, Arlon (R)	417	7806
48B	Bernardy, Connie (DFL)	329	5510	56B	Lipman, Eric (R)	567	4244
59A	Biernat, Len (DFL)	303	4219	47A	Luther, Darlene (DFL)†	349	3751
30B	Bishop, Dave (R)	453	0573	67A	Mahoney, Tim (DFL)	377	4277
12B	Blaine, Greg (R)	387	4247	55A	Mares, Harry (R)	401	5363
25B	Boudreau, Lynda (R)	473	8237	65B	Mariani, Carlos (DFL)	203	9714
30A	Bradley, Fran (R)	559	9249	57B	Marko, Sharon (DFL)	279	3135
35B	Buesgens, Mark (R)	445	1072	9B	Marquart, Paul (DFL)	311	6829
46B	Carlson, Lyndon R. (DFL)	283	4255	36B	McElroy, Dan (R)	437	4212
10B	Cassell, George (R)	421	4317	54A	McGuire, Mary Jo (DFL)	259	4342
23A	Clark, James T. (R)	551	9303	39B	Milbert, Bob (DFL)	243	4192
61A	Clark, Karen (DFL)	307	0294	35A	Molnau, Carol L. (R)	443	8872
11A	Daggett, Roxann (R)	439	4293	21B	Mulder, Richard (R)	515	4336
31B	Davids, Gregory M. (R)	549	9278	58A	Mullery, Joe (DFL)	389	4262
62A	Davnie, Jim (DFL)	335	0173	8A	Murphy, Mary (DFL)	357	2676
65A	Dawkins, Andy (DFL)	215	5158	20A	Ness, Robert "Bob" (R)	509	4344
14A	Dehler, Steve (R)	491	7808	10A	Nornes, Bud (R)	471	4946
29A	Dempsey, Jerry (R)	575	8635	19A	Olson, Mark (R)	501	4237
60B	Dibble, D. Scott (DFL)	369	9281	16A	Opatz, Joe (DFL)	277	6612
27A	Dorman, Dan (R)	579	8216	29B	Osskopp, Mike (R)	521	9236
24A	Dorn, John (DFL)	201	3248	66A	Osthoff, Tom (DFL)	273	4224
18A	Eastlund, Rob (R)	449	5364	11B	Otremba, Mary Ellen (DFL)	393	3201
64A	Entenza, Matt (DFL)	261	8799	37A	Ozment, Dennis (R)	479	4306
42A	Erhardt, Ron (R)	591	4363	42B	Paulsen, Erik (R)	545	7449
17A	Erickson, Sondra (R)	407	6746	38B	Pawlenty, Tim (R)	459	4128
52B	Evans, Geri (DFL)	211	0141	64B	Paymar, Michael (DFL)	209	4199
1B	Finseth, Tim (R)	517	9918	32A	Pelowski Jr., Gene (DFL)	295	8637
44A	Folliard, Betty (DFL)	281	3964	1A	Penas, Maxine (R)	553	9635
4A	Fuller, Doug (R)	525	5516	13B	Peterson, Doug (DFL)	287	4228
36A	Gerlach, Chris (R)	531	5506	39A	Pugh, Thomas W. (DFL)	267	6828
63B	Gleason, Mark S. (DFL)	313	5375	44B	Rhodes, Jim (R)	409	9889
9A	Goodno, Kevin (R)	563	5515	32B	Rifenberg, Michelle (R)	423	1069
52A	Goodwin, Barbara (DFL)	353	4331	5A	Rukavina, Tom (DFL)	375	0170
58B	Gray, Gregory (DFL)	327	8659	28A	Ruth, Connie (R)	415	5368
54B	Greiling, Mindy (DFL)	253	5387	17B	Schumacher, Leslie J. (DFL)	217	5377
26A	Gunther, Bob (R)	379	3240	41A	Seagren, Alice (R)	477	7803
48A	Haas, Bill (R)	569	5513	21A	Seifert, Marty (R)	593	5374
50A	Hackbarth, Tom (R)	577	2439	5B	Sertich, Anthony "Tony" (DFL)	233	0172
22B	Harder, Elaine (R)	583	5373	2B	Skoe, Rod (DFL)	321	4265
66B	Hausman, Alice (DFL)	245	3824	62B	Skoglund, Wes (DFL)	251	4330
47B	Hilstrom, Debra (DFL)	227	3709	57A	Slawik, Nora (DFL)	359	7807
8B	Hilty, Bill (DFL)	207	4308	34A	Smith, Steve (R)	503	9188
37B	Holberg, Mary Liz (R)	433	6926	3B	Solberg, Loren A. (DFL)	309	2365
56A	Holsten, Mark William (R)	381	3018	33B	Stanek, Rich (R)	543	5502
4B	Howes, Larry (R)	431	2451	14B	Stang, Doug (R)	597	4373
6B	Huntley, Thomas (DFL)	351	2228	28B	Sviggum, Steve (R)	463	2273
53B	Jacobson, Carl (R)	429	7153	7A	Swapinski, Dale (DFL)	331	4282
7B	Jaros, Mike (DFL)	291	4246	23B	Swenson, Howard (R)	539	8634
18B	Jennings, Loren Geo (DFL)	237	0518	43B	Sykora, Barb (R)	403	4315
34B	Johnson, Jeff (R)	487	5511	46A	Thompson, Mark (DFL)	223	4176
24B	Johnson, Ruth (DFL)	241	7065	50B	Tingelstad, Kathy (R)	507	5369
67B	Johnson, Sheldon (DFL)	229	4201	25A	Tuma, John (R)	533	4229
15A	Juhnke, Al (DFL)	371	6206	51B	Vandever, Ray (R)	529	4124
59B	Kahn, Phyllis (DFL)	255	4257	63A	Wagenius, Jean (DFL)	239	4200
26B	Kalis, Henry J. (DFL)	317	4240	61B	Walker, Neva (DFL)	213	7152
60A	Kelliher, Margaret Anderson (DFL)	231	0171	12A	Walz, Dale (R)	527	4333
20B	Kielkucki, Tony (R)	367	1534	55B	Wasiluk, Scott (DFL)	225	1188
16B	Knobloch, Jim (R)	451	6316	51A	Westerberg, Andrew (R)	523	4226
49B	Koskinen, Luanne (DFL)	301	4231	13A	Westrom, Torrey (R)	557	4929
53A	Krinkie, Philip (R)	365	2907	38A	Wilkin, Tim (R)	413	3533
15B	Kubly, Gary W. (DFL)	315	4346	22A	Winter, Ted (DFL)	247	5505
31A	Kuisle, William (R)	565	4378	41B	Wolf, Ken (R)	571	5185
40A	Larson, Dan (DFL)	221	7158	43A	Workman, Tom (R)	537	5066

Note: Room numbers are subject to change.

*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155; List as of Jan. 30, 2002

†- Rep. Darlene Luther passed away Jan. 30, 2002; a special election will be held March 4, 2002 to fill her seat.

Minnesota Memorials



PHOTO BY ANDREW VON BANK

The Spirit of St. Louis

The year 2002 features a couple of anniversaries in the life of one of Minnesota's most famous people.

Charles Lindbergh, who grew up in Little Falls and was the first person to fly solo across the Atlantic Ocean, would have been 100 years old Feb. 4.

This year also marks the 75th anniversary of his famous flight. Piloting the Spirit of St. Louis, "Lucky Lindy" left Long Island, New York at 7:52 a.m. May 20. He landed in Paris more than 33 hours later as a crowd estimated at 150,000 watched him land.

A replica of his plane hangs in the Lindbergh Terminal at the Minneapolis/St. Paul International Airport. The original is at the Smithsonian Institution in Washington, D.C.

In 1985 a memorial of the famous aviator was dedicated on the Capitol Complex across John Ireland Boulevard from the Department of Transportation building.

Sculpted by Paul Granlund, the memorial features Lindbergh as a boy in overalls with outspread arms on a lower step. A standing figure of Lindbergh as an adult in aviator gear stands on a higher step. Three comments attributed to the aviator are engraved on the walkway around the memorial.

Donated by the Lindbergh Foundation, the statue awaited the state's decision on where it would be placed and how it would fund landscaping of the memorial. Much of that landscaping was recently redone to repair some storm damage and cut back some overgrown trees.

Lindbergh died on Aug. 26, 1974. His wife, Anne, passed away on Feb. 7, 2001.

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Reflections

The 2002 Legislative Session began on a somber note Jan. 29 due to the death of one member, and because of the serious illness of another.

An empty seat in the Senate chamber once belonged to Sen. Sam Solon (DFL-Duluth) who died Dec. 28. Over in the House chamber, a single red rose was placed on the desk of Rep. Darlene Luther (DFL-Brooklyn Park) by her long-time friend and neighbor, Sen. Linda Scheid (DFL-Brooklyn Park).

Luther, who had already survived a liver transplant, was seriously ill again. She died the next evening.

Since 1971 more than a dozen legislators died in office while serving their constituents.

One of the most colorful was Rep. James Rice (DFL-Mpls.).

Rice, who served in the House for 26 years, died in his fifth floor office in the State Office Building in 1996. He was noted for his literary soliloquies in the chamber, and when he spoke, the normally noisy chamber would become very quiet while everyone listened.

Each of these legislators shared a common thread of dedication, passion, and vision. Although Rep. Gloria Segal (DFL-St. Louis Park) resigned one month before her term ended in January 1993 because of ill health, she died shortly thereafter. Her dedication and passion was directed toward fighting for the human rights of all people.

More recently, House members who left a never-forgotten memory in the chamber and around the Capitol were Rep. Ken Otremba (DFL-Long Prairie) and Rep. Barb Vickerman (R-Redwood Falls), who

both died in 1997, and "Mr. Environment" Rep. Willard Munger (DFL-Duluth), who passed away in 1999.

In the previous two decades three House members died in office: Rep. Charlie Miller (DFL-Wabasha) in 1971, Rep. Ben Omann (IR-St. Joseph) in 1986, and Rep. John Rose (IR-Roseville) in 1988.

Rose is still remembered as a community activist in his hometown, and by more tenured members and staff in the House as the seer "Carnac the Magnificent."



PHOTO BY ANDREW VON BANK

Legislators and staff sign the registry in the St. Paul Cathedral at the Feb. 5 funeral of Rep. Darlene Luther.

On the last night at the end of a legislative session, Rose would dress in a cape and turban — not unlike former television host Johnny Carson — then make predictions about Minnesota's future from the well of the chamber.

In addition to Solon, senators who died in office, include Sen. Bob Lewis (DFL-St. Louis Park) in 1979. In 1972, Lewis and Rep. Ray Pleasant (IR-Bloomington) were the first African-Americans to be elected to the Legislature since J. Francis Wheaton (R-Edina) in 1898.

Other senators dying in office during the past 30 years are Sen. Eugene Stokowski (DFL-Mpls.) in 1979, Sen. Ed Schrom (DFL-Albany) in 1980, and Sen. Janet Johnson (DFL-North Branch) in 1999.

Our lives are reflective of the transitions and the choices that we make while we live them. As people pass in and out of our lives, we have the choice to take on the positives of those who pass on. By embracing those attributes, individually we may hope to build our own strength, dedication, commitment, and vision.

—LECLAIR GRIER LAMBERT

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

MINNESOTA INDEX

Motor vehicle crash facts

Licensed drivers in Minnesota, 2000	3.69 million
Registered motor vehicles, 2000	4.2 million
Traffic crashes in Minnesota, 2000	103,591
Motor vehicles involved	189,541
Drivers involved	180,545
People injured in crashes, 2000	44,740
In 1999	44,538
People killed in crashes, 2000	625
In 1999	626
In 1968 (record high)	1,060
Men killed in traffic crashes, 2000	405
Women	220
Male drivers involved in crashes, 2000	102,883
Female drivers	69,638
Gender not stated in report	8,024
Drunken driving incidents involving arrests, 2000	34,803
Percent male	73
Drunken driving incidents involving arrests, 1999	34,529
Known alcohol-related traffic fatalities, 2000	245
In 1999	195
Bicyclists killed in collisions with a motor vehicle, 2000	14
Pedestrian fatalities, 2000	41
In 1999	51
In 1971 (record high)	157
Fatalities on two-lane, two-way roads, 2000	378
On freeways and other divided highways	117
Fatal crashes in which illegal or unsafe speed was a contributing factor, 2000	158
Injury crashes	5,336
Fatal crashes in which driver inattention or distraction was a contributing factor, 2000	131
Injury crashes	10,549
People killed in crashes in which driver use of a cellular phone or CB radio was a contributing factor, 2000	3
People injured	101
Motorcycles registered in Minnesota, 2000	132,352
Licensed motorcycle operators, 2000	311,825
Motorcycle crashes, 2000	1,135
Motorcyclists killed, 2000	35
Those wearing helmets	6

Source: *Minnesota Motor Vehicle Crash Facts, 2000*, Office of Traffic Safety, Minnesota Department of Public Safety.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

FEBRUARY 15, 2002
VOLUME 19, NUMBER 3



In this issue:

STATE EMPLOYEE CONTRACTS

CREDIT SCORING, HEALTH CARE COSTS, AND MORE

HF3126-HF3433

Session Weekly

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On the cover: College and university students from around the state rally on the State Capitol steps Feb. 13 as part of the annual student lobby day. The students wore yellow helmets to signify avoiding being hit by any higher education budget cuts.

—Photo by Tom Olmscheid

A clear message

House warns that it will likely reject state employee contract providing same-sex domestic partner benefits

By MICHELLE KIBIGER

The House passed a resolution Feb. 13 that clearly states it will not support collective bargaining agreements ratified by the two largest state employee unions last fall, because they contain benefits for same-sex domestic partners.

Rep. Dave Bishop (R-Rochester) offered the resolution, saying that the language in the contracts is vague and does not specifically define what a domestic partner is.

"I'd be voting to approve the contracts" without the same-sex domestic partner benefits, Bishop told the House Rules and Legislative Administration Committee Feb. 13.

If the Legislature fails to ratify the contracts, it would be the first time it resorted to such actions in the 27-year history of state

contracts will not stand and they should pursue some remedies.

"It's a very quick way to express the sentiment of the House early in the session," Pawlenty said. He added that he hoped it would give various people associated with the issue an opportunity to come up with some real solutions to the dispute.

The resolution passed the House 75-54 after more than two hours of debate. Earlier that day, the House Rules and Legislative Administration Committee, which Pawlenty chairs, approved the resolution 11-9.

Specifically, the resolution indicates the intent of the House to ratify the compensation plan for Minnesota State Colleges and Universities (MnSCU) administrators and the labor agreement between the state and the

to adjourning this year.

In addition to health insurance, same-sex domestic partner benefits would include sick leave and bereavement leave used on the behalf of a domestic partner of a state employee.

Members questioned the tactic, wondering why Bishop chose to put forward a resolution, rather than merely putting the sentiment in bill form.

Bishop said the resolution "gives some notification to the bargaining parties that (the agreements) are in jeopardy."

The House Governmental Operations and Veterans Affairs Policy Committee approved a bill (HF3407), sponsored by Bishop, that mirrors the resolution by rejecting all of the collective bargaining unit agreements, with the exception of the engineers council. That contract did not include same-sex benefits. It also would not preclude certain MnSCU employees from using sick or bereavement leave on the behalf of a domestic partner.

The bill now goes to the House State Government Finance Committee.

Others said the resolution sends the message that the House does not respect state workers by not providing equal benefits for equal work. Critics also said it jeopardizes the benefits of all state employees unnecessarily.

"What I object to is putting all of these people at risk," said Rep. Bob Milbert (DFL-South St. Paul).

Merrill Evans, an employee at the Department of Transportation maintenance facility in Jordan, echoed Milbert's concerns.

"If you reject this contract," Evans said, "it's my job. It's my paycheck. It's my benefits. And it's my family."

However, much of the criticism surrounding the resolution was the perception that it interferes with the collective bargaining process established by state law.

The law authorizing collective bargaining for state employees — The Public Employment Labor Relations Act — was passed by the Legislature in 1971. It wasn't used widely until the mid-1970s.

Under current law, the following guidelines govern state employee contracts and Legislature ratification:

- If a collective bargaining agreement is reached when the Legislature is not in session, the Legislative Coordinating Commission Subcommittee on Employee Relations can review the contract and provide interim approval. If it does not reject the contract, it



PHOTO BY ANDREW VON BANK

Members of House Rules Committee debate a resolution indicating the House's intent to reject 2001 collective bargaining agreements for state employees because they contain same-sex domestic partner benefits.

employee collective bargaining negotiations in Minnesota.

House Majority Leader Tim Pawlenty (R-Eagan) said the resolution, which does not carry the force of law, is intended to send a message to the parties who negotiated the agreements — the Ventura Association of Professional Employees (MAPE) and the American Federation of State, County, and Federal Employees (AFSCME) — that the current

Minnesota Government Engineers Council.

The resolution further indicates the House's intent to reject the MAPE and AFSCME agreements, and to modify non-union, managerial and commissioner's compensation plans, with the removal of same-sex domestic partner provisions.

It was amended to provide a bridge for state employees to continue to be covered under the existing health insurance plan in the event the Legislature does not ratify the contracts prior



Numbers game

1850 territorial census far from an accurate representation

In the 2000 census, Minnesota's population was nearly 4.92 million people, a 12.4 percent increase from 10 years prior.

The count is intended to be a reflection of every man, woman, and child living inside the state's borders.

But it has not always been that way.

Prior to Minnesota becoming a state in 1858, the Minnesota Territory was included in the 1850 census. At the time, the territory covered approximately 166,000 square miles, since more than one-half of the current North Dakota and about one-third of what is now South Dakota was part of the territory. The territory's western border was the Missouri River.

At the time, Minnesota had nine very large counties, and census takers counted 6,077 residents. But it was not an accurate representation. For example, one of the seven census counters forgot to include himself. Ten years later the population was 172,072 — a 2,813 percent increase.

According to the Minnesota Historical Society, approximately 84 percent of the 1850 residents were not counted. Those were primarily the American Indians living in the territory, the land's first inhabitants. Just 136 people were identified as having Indian ancestry because census takers did not consistently record that information. Those of both white and American Indian descent were considered white for survey purposes. People were counted as either "white" or "free colored."

The census conducted more than 150 years ago did not measure whether women were employed, or the marriages and school enrollment in the area, like modern censuses do. However, it was the first to include all members of a household, not just the head.

Of the occupations listed for 2,371 people — all men — the most common was laborer, followed by farmer. Hunters also ranked high. About 10 percent of those listing an occupation were involved in the building trades.

No professors were listed, but 209 people were listed as attending school. Illiterates in the state numbered 649 — 259 of which were native-born. The 1850 census identified people older than age 20 who were unable to read.

Of the 47 11-year-old girls counted, just 19 percent had attended school in the previous year. For children age 6-16, the number who were going to school was 14.8 percent. Those numbers helped contribute to the fact that one-quarter of all women counted could not read.

Approximately two-thirds of residents were born in the United States. Only 18.8 percent of the people counted in the census were born in Minnesota, 8 percent (481) were from New York, and 4.9 percent (296) in

Wisconsin. Canada was the birthplace of 23.1 percent of residents, while European nations accounted for less than 10 percent.

Mary was the most common women's name (259), and John (334) for the men. Three people were named Polite.

Governor Alexander Ramsey was one of just 256 landowners. All were men. His brother, Justus, was one of the youngest landowners at age 26. The value of each man's land was estimated at \$2,500. The census reported that only one non-white man was a homeowner — a 29-year-old mulatto.

Of the 36 people married within the year, only one was above age 40. The average age of the groom was 26 and the bride 20. Louis St. Pierre was the youngest male to marry at age 20. His wife, Mary, was the youngest bride at age 15.

The average age of Minnesotans counted was 24, four years younger than the national average, and 11.4 years below the median age in 2000. More than 46 percent of those counted were under age 21, with 29.2 percent younger than age 10. The oldest Minnesotan at the time was Joseph Montreulle, a 98-year-old voyager.

(M. Cook)



Photo courtesy of the Minnesota Historical Society

A group of school children in front of the post office at Dassel, Minnesota.

becomes effective within 30 days on an interim basis.

- However, all contracts must be ratified by the full Legislature.
- If the full Legislature ratifies the contract it is immediately effective.
- If the full Legislature rejects the contract, further bargaining may be required. State employees do have the right to strike in this instance.
- If the full Legislature does not act before adjourning, the contract ceases to be effective immediately, forcing further bargaining and possibly a strike.

Labor officials testified during the rules committee meeting that the resolution shows disrespect for the process established by the law and sets a very dangerous precedent.

Several members agreed.

"We are, in my mind, certainly saying fairly strongly that we are willing to interfere with the negotiating process," said Rep. John Dorn (DFL-Mankato).

"They're (labor leaders) asking us to respect something that they bargained in good faith," said Rep. Jean Wagenius (DFL-Mpls).

However, Bishop and several other House members countered by saying the House already made it clear that the Ventura administration should not offer same-sex partner benefits.

They pointed to an amendment that was placed on the omnibus state government finance bill when it was debated on the floor May 3, 2001.

At that time, the House voted 74-58 to accept an amendment that would limit the benefits state employees get to only cover an employee, the spouse, dependent child, or dependent grandchild of an employee. Other allowances would have been made for legally adopted children and other similar arrangements.

Debate surrounding the amendment suggested it was targeted at Gov. Jesse Ventura's expressed desire to provide benefits to same-sex domestic partners of state employees.

Although the measure did pass the House initially, it was removed in conference committee and was not included in the final product that became law.

At the time, House members argued that major private employers in the state have provided domestic partner benefits for many years and the state should use the benefits as a recruiting tool.

"We would be foolish not to try to compete with those companies for those workers," said Rep. D. Scott Dibble (DFL-Mpls) during the May 3, debate. Dibble, who is one of two

Continued on page 35.

★ AGRICULTURE

Focusing priorities

The House Agriculture Policy Committee approved a bill Feb. 13 that would require the University of Minnesota Extension Service to place less emphasis on "human development" programs and devote more attention to other priorities.

Among those priorities are agricultural finance and economics, nutrition, and youth and rural leadership development, which would include 4-H programs.

"Our intent is to try to preserve the fabric of rural Minnesota," said Rep. Bob Ness (R-Dassel), sponsor of HF2708, which outlines the definition of county extension work.

Ness said he's concerned that the extension service is shifting its focus away from agriculture programs.

Other committee members voiced similar concerns.

Rep. Greg Blaine (R-Little Falls) cited a 1998 newspaper advertisement that promoted the university's commitment to gardening and other programs as evidence that agriculture has fallen down on its list of priorities.

The vote came after some members of the committee accused University of Minnesota officials of misrepresenting their intent for the bill by saying legislators favored cutting 4-H programs. Rep. Doug Peterson (DFL-Madison) demanded a public apology from the university.

Members said they had received several phone calls and e-mails from constituents concerned that HF2708 would result in cuts to 4-H and county fairs.

Charles Casey, dean of the university's extension service, later apologized for offending members of the committee. Casey said he stood by the university's plan for the extension service, which was released in January.

The plan calls for a 17 percent reduction in staff by 2006, but Casey said each county in the state will continue to have an office. It focuses extension's efforts on programs related to community development, agriculture, natural resources, youth development, and family living, including 4-H.

Casey said that striking the words "economic and human development" from the definition of county extension work would limit their mission.

"Rural communities are more than just farms," he said.

Charles Muscoplat, dean of the university's College of Agriculture, Food, and

Environmental Sciences, and Bob Bruininks, university executive vice president and provost, also spoke out in favor of the service's new plan.

"Agriculture is changing and becoming more sophisticated than ever before," Muscoplat said. "The old model doesn't work."

He said the university is increasingly providing rural communities with guidance on precision farming, organic agriculture, and environmental law.

The bill was referred to the House Higher Education Finance Committee.

★ ARTS

State picture sought

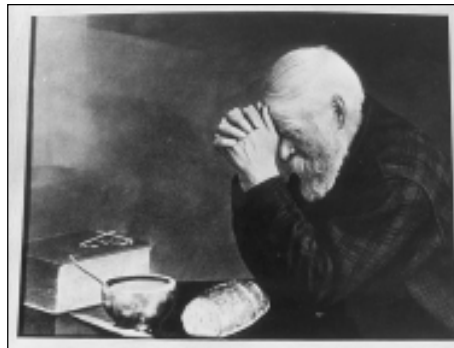
A proposal to make Eric Enstrom's "Grace" photograph the Minnesota state picture was approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 13.

The photograph shot by the Bovey native in 1918 features an elderly man sitting pensively with bowed head and folded hands at a table with a pair of spectacles resting atop a dictionary. Also on the table are a bowl of gruel, a loaf of bread, and a knife.

Rep. Loren Solberg (DFL-Bovey), the sponsor of HF1097, also sponsored a successful resolution in 2001 that urged the U.S. Postal Service to create a postage stamp reproduction of the photograph. That stamp has not yet been made.

Solberg said he didn't include the proposal to make the picture the state photograph at the same time because he wanted to give an opportunity to anyone else who might have another picture to put forward. He said the Minnesota Historical Society indicated that nobody else has done so.

Brian Carlson, an Itasca County resident who served on a committee that supports the



A bill would make Eric Enstrom's "Grace" photo, pictured here, the official state photograph.

designation, said the picture is known throughout the world.

"It's a piece of Americana and it's a piece of Minnesota," he said. "It has worldwide renown yet so few people recognize that it came from Minnesota."

Rep. Phyllis Kahn (DFL-Mpls) offered a successful amendment changing the word "picture" to "photograph." Solberg supported the amendment and said that it's a common misconception that the original work is a painting rather than a photograph.

The bill, which now goes to the House floor, would require the secretary of state's office to display the photograph.

★ BUSINESS

Contract regulations

A bill that would have allowed contractors to seek recovery of costs on public contracts where delays are caused by the public entity passed the House and Senate during 2001 but was vetoed by Gov. Jesse Ventura.

Now sponsors are bringing the issue back with a similar bill.

HF3205, sponsored by Rep. James Clark (R-New Ulm), would prohibit clauses in public works contracts that limit the rights of a contractor to recover costs or damages caused by acts or omissions within the contracting public entity.

The House Governmental Operations and Veterans Affairs Policy Committee approved the measure Feb. 13 and referred it to the House Civil Law Committee.

Clark said that not only did the measure pass unanimously last session but the Senate also overrode the governor's veto on a "straight party line vote of 63-1." Sen. Bob Lessard (Ind.-Int'l Falls) was the lone dissenting vote.

He added that fears the bill would somehow affect the light-rail project led to the House's failure to override the governor's veto.

Those concerns have now been addressed, Clark said, and one of the lawmakers who voiced concern during the House debate, Rep. Bernie Lieder (DFL-Crookston), was now a co-sponsor of the bill.

In his veto message, Ventura wrote that the "no damage for delay" clause is commonly used in public works contracts and the legislation would lead to increased litigation and higher contract costs.

Richard Thomas, representing Associated General Contractors, said that those involved did not know of any concerns with the

proposal until the governor vetoed the bill. He said no groups testified against the bill.

Thomas said that the Metropolitan Council remains against the bill, but it is unclear why.

★ CHILDREN

Trimming funds

The House Family and Early Childhood Education Finance Committee approved their omnibus budget bill during a Feb. 13 meeting.

HF2901, which cuts \$15 million from the general fund budget through fiscal year 2003, will now go to the House Ways and Means Committee.

Committee chair Rep. Barb Sykora (R-Excelsior), the bill's sponsor, said the plan protects proven programs and makes minimal cuts to low income families.

It would also not hurt Head Start and would continue to encourage self-sufficiency, she said.

The bill reduces early childhood family education aid, reduces aid for child care, violence prevention program grants, and adult basic education aid.

Rep. Mary Jo McGuire (DFL-Flacon Heights) said the committee should not be making such large cuts to programs that help children, nor should it be making some of those cuts permanent.

The bill calls for several programs' funding to be stopped for a few years and then reinstated.

McGuire said a temporary halt in funding is the same as cutting the program, since agencies would still have to pay rent and workers while they are waiting for funding to be reinstated.

"If we cut their funding, they go," she said.

Sykora pointed out that Gov. Jesse Ventura's plan called for the permanent elimination of some programs, and the committee's plan to cut funding only temporarily is preferable to that.

Gov. Ventura recommended cuts of \$20.2 million for 2002-03, \$7.1 million of which would be general fund money. However, Ventura projected cutting family and early childhood base funding by \$83 million in 2004-05 and the committee indicated it would only cut the base by \$30 million in those years.

Sykora said the committee had some difficult decisions to make and she wasn't given much feedback about where to trim money from the budget.

McGuire said she intentionally did not suggest any cuts because none should be made.

"I'm not going to help do something I don't think we should be doing," she said.

★ CONSUMERS

Setting glass prices

Insurance companies would be required to pay "fair and reasonable costs" on auto glass repair claims, under a measure approved by the House Commerce, Jobs, and Economic Development Policy Committee Feb. 12.

Current law requires insurance companies to pay market price for glass replacement as determined by a survey of costs charged in communities around the state.

HF2570, sponsored by Rep. Ken Wolf (R-Burnsville), would eliminate the market survey of auto glass shop prices. The bill adds a "fair and reasonable standard" in the amount a company must pay on a claim to the "competitive price" standard in current law.

Wolf said that in 1991 the state changed its

the law so that auto glass claims were treated differently from auto body claims. The law required insurance companies to pay all "reasonable" costs, which he said led to companies being required to pay the cost of whatever was billed.

A compromise between the auto glass repair and insurance industries led to Wolf sponsoring the law that created the market survey, but he said that law is not working.

According to information provided by American Family Insurance on 20 claims filed between Jan. 1, 2001 and Oct. 31, 2001, the range of the claims was from \$334 to \$1,064.

Guy Selinske, a Prior Lake auto glass repair shop owner speaking in support of Wolf's bill, said the issue is about "greed, smoke, and mirrors."

"(Current law) rewards inefficient

REMEMBERING REP. LUTHER



PHOTO BY TOM OLMSCHIED

U.S. Rep. Bill Luther, *right*, hugs his son, Alex, *left*, after addressing the House Feb. 11, telling members that "besides being a mother, Darlene's highest honor in life was serving in the Minnesota House of Representatives." The House recessed in order to view a video Alex and his sister, Alicia, had made for their mother this past December. Rep. Darlene Luther died Jan. 30 from the effects of stomach cancer.

companies and gets the government to protect their excessive profits,” he said. “In the end it’s the consumer that gets hurt by the over-billing of greedy repair shops.”

Gary Potzin, another auto glass repair shop owner, spoke against the measure. He said the quality of work is the most important part of the business and insurance companies are just interested in “price, price, price.”

“Consumer choice will be gone. Consumer safety will be damaged as margins are squeezed to cut corners,” he said.

Rep. Karen Clark (DFL-Mpls) offered a successful amendment that addressed concerns in the committee about insurance companies “steering” business to preferred repair shops. The amendment prohibits insurance companies from recommending auto glass companies unless the consumer requests the information.

Rep. Chris Gerlach (R-Apple Valley) said the bill was another “band-aid” to the problem, and the entire issue could not be resolved unless consumers become more connected with the actual costs of the repairs.

The bill now goes to the House floor.

★ CRIME

Registering offenders

A bill that would require more repeat offenders to register with the state for the rest of their life earned approval from the House Crime Prevention Committee Feb. 12.

HF3049, sponsored by Committee Chair Rep. John Tuma (R-Northfield), would allow the state to consider crimes that were committed before registration laws were set in place 11 years ago.

Currently, lifetime registration is required only if the previous offense was one for which lifetime registration was required at that time. Crimes that require previous offenders to register for life include kidnapping, criminal sexual conduct, and other predatory crimes.

Under the bill, residents convicted of similar crimes in other states, or convicted of federal crimes, would also be required to register with the state, as would those who live in other states but work or attend school in Minnesota. It would also pull in offenders who were not listed within the more narrow list of offenses that previously existed.

Laurie Beyer-Kropuenske, is the project coordinator of State Agencies Focused on Effectiveness, or SAFE, an agency that coordinates efforts among the state’s crime, violence, and drug abuse prevention efforts.

She told committee members a change in law is needed to allow the state to look back on crimes committed prior to 1991.

State laws requiring certain criminals to

register for 10 years went into effect in 1991, but lifetime registration was not added until 2000, Beyer-Kropuenske said. At that time, 1991 was the cutoff for considering previous offenses. The proposed change would allow the state to pull in offenses from pre-1991.

The state also needs to make the change or risk losing about \$850,000 in federal grant money from the Edward Byrne Memorial State and Local Law Enforcement Assistance program, she said. The state receives about \$8.5 million annually in federal assistance from the grant program.

The bill goes next to the full House.

Implied consent hearings

The House Crime Prevention Committee approved a bill (HF2840) Feb. 7 that would provide several minor adjustments to the state’s criminal code.

The bill is sponsored by Rep. James Clark (R-New Ulm).

Among the changes in the bill would be to require that implied consent hearings, which occur as part of a drunken driving case when a driver’s license is confiscated, be held in the county where the alleged offense occurred.

The state attorney general’s office handles implied consent hearings. However, a ruling from the Minnesota Court of Appeals suggests that if a city or county attorney was notified of a hearing and they do not appear — though state law does not specifically allow them to address the court at the hearing — they are bound by the decision of the court, said Phil

Carruthers from the Ramsey County Attorney’s Office.

Carruthers said some cities and counties only have one attorney and that person may not be able to attend the hearings, particularly if they are located many miles away. In addition, they are not actually parties to the case — the state is.

Another part of the bill would change child endangerment provisions to include permitting a child to be present where drugs are sold, manufactured, or products the offender intends to use to manufacture drugs are present. Existing law considers using and possessing a controlled substance in the presence of a child to be child endangerment.

Removing an electronic monitoring device or fleeing while on electronic monitoring would be considered an escape from custody, under the bill. People guilty of such crimes would also be subject to escape penalties.

Members were concerned that broadening the escape from custody statute would increase the number of offenders needing incarceration, since electronic monitoring is an alternative to incarceration to begin with.

The bill now goes to the House Civil Law Committee.

★ EDUCATION

Reciting the pledge

A bill that would require public and charter school students to recite the pledge of allegiance and learn about flag etiquette is moving through the House.



Orville Otterness, a veteran with the American Legion, holds up a United States flag code of etiquette in support of HF2598, a bill that would require the recitation of the pledge of allegiance in all public schools and provide United States flag respect instruction. The bill was heard Feb. 12 by the House Education Policy Committee.

The Education Policy Committee sent the bill (HF2598), sponsored by Rep. George Cassell (R-Alexandria), to the House floor Feb. 12.

The House passed a similar bill last session but it did not have a Senate companion. The lone difference is the enactment date, as the new bill calls for instruction to begin no later than the 2003-04 school year, rather than the 2002-03 school year previously proposed.

"It's time we put patriotism back on the curriculum agenda," Cassell said.

Orville Otterness of the American Legion of Minnesota said the legislation would "help strengthen and safeguard our future."

Under the bill, students would have to say the pledge of allegiance in school classrooms at least once a week, but any student or teacher who objects could be excused. It also would give a local school board authority to waive the requirement or adopt a different district policy regarding the recitation.

The bill would also require instruction in "the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises," the bill reads.

The bill had originally required the instruction to be part of a district's fifth-grade curriculum, but the specific grade was brought into question. The bill was then amended to recommend, instead of require, the instruction in the fifth grade. According to Rep. Sondra Erickson (R-Princeton), schools have curriculum standard for American history in that grade.

Rep. Len Biernat (DFL-Mpls) asked why private school students were not included in the bill. Cassell replied that the Legislature has limited its control and mandates for private schools and that many private schools are already saying it. He added it could be "a potentially contentious issue" and might be a barrier to getting the bill passed.

Funds may be optional

The House might waive a mandate that requires schools to spend 2 percent of their budget on staff development, allowing them to prioritize their spending, under a bill presented to the House K-12 Education Finance Committee Feb. 13.

HF3068, sponsored by Rep. Ken Wolf (R-Burnsville), would remove the legal requirement to set aside a certain amount for staff development and would allow districts to set aside whatever amount they choose.

The bill raised mixed reactions, from those who wanted to let school boards decide how best to use their funds, to those who said a state mandate is needed especially now when budgets are tight, to ensure minimum funding for staff development.

"Current limitations in K-12 funding have created an economic environment in which it is hard to justify that school districts continue to reserve 2 percent of revenue dedicated solely to staff development," said Tom Berge, director of finance and operations for Minnetonka schools. "We need maximum flexibility to manage our way through this dilemma."

Jan Alswager, representing Education Minnesota, opposed the legislation.

"We are cannibalizing by eating out of our staff funds," she said. "Staff development is so critical. We feel the set aside is essential."

Rep. Mark Buesgens (R-Jordan) said he was offended by Alswager's comments. "Taking away the requirement does not imply that professionals will stop acting professional," he said.

Alswager maintained that by taking away the mandate, the bill would remove many opportunities for teachers.

However, Rep. Sondra Erickson (R-Princeton) said the change would be "an opportunity for (teachers) to focus on what it is they need to improve," since student achievement is in the hands of every teacher.

Berge said Minnetonka schools have cut 6.3 percent of their budget so far this year, or just under \$7 million. He told committee members if the bill were to become law, staff development would probably be halved.

Bob Meeks, representing the Minnesota School Boards Association, said he's been getting requests from unions across the state to give staff development money back.

"Let us weigh that with all the other requirements," Meeks said. Schools have always had staff development, and "staff development should be prioritized with everything else," he said.

★ ENVIRONMENT

Program cuts proposed

A pair of environmental groups testified before the House Environment and Natural Resources Finance Committee on Feb. 8, calling on members to spare programs from proposed budget cuts.

The committee took no action on the proposals at the meeting.

A day after Republican House leaders unveiled a plan that calls for \$653.5 million in reduced spending for the 2002-2003 biennium, Rep. Mark Holsten (R-Stillwater), the committee chair, said the committee would move quickly to propose agency spending cuts.

The Department of Natural Resources has proposed trimming more than \$15 million

from its budget this biennium, about 5.6 percent of its general fund money.

The Minnesota Conservation Corps, a 20-year-old program modeled after the Depression-era Civilian Conservation Corps, is slated for elimination. Cutting the program is expected to save the DNR \$6.8 billion this biennium.

Youth involved with the corps help build trails, work on improving wildlife habitat, and assist the state in other environmental projects. There are two basic programs: one for 18- to 25-year-olds that runs year-round and a summer program for 15- to 18-year-olds.

Rusty Schmidt, a former corps supervisor, urged the committee to continue funding the program and said that program participants are hard-working, environmental stewards.

"They are the muscle behind a lot of the projects implemented by the DNR," Schmidt said. "They would be severely hamstrung without the (corps)."

The committee also heard testimony bemoaning Gov. Jesse Ventura's plan to cut the Forest Resource Council's funding by almost 80 percent, from \$900,000 to \$200,000.

Wayne Brandt, representing Minnesota Forest Industries, said the proposed cut would effectively kill the council, a group that promotes sustainable forest management in the state.

The council, which includes members from the logging industry, stage agencies, nonprofit organizations, and local governments, was established with the passage of the 1995 Sustainable Forest Resources Act.

Brandt said without the council, the state would likely see increased litigation and conflict between industry and government.

Trash talk

Waste generation has grown faster than the state's population, and Minnesotans continue to throw away many items that could be recycled, according to a legislative auditor's report discussed in the House Environment and Natural Resources Policy Committee Feb. 7.

In 1999, paper and organic waste accounted for about 60 percent of the state's total garbage, waste that could have been recycled or composted.

On average, Minnesota residents and businesses recycle about 40 percent of the waste they produce.

The state has also failed to meet a 1994 goal adopted by the Legislature to reduce per capita waste generation by 10 percent between 1993 and 2000. In 1991, Minnesotans threw away an average of 0.95 tons of garbage per person. In 2000 that number was up to 1.14 tons.

If the trend continues, the Office of Environmental Assistance estimates that Minnesotans will annually generate 13 million tons of waste by 2020 as each individual would toss out 2.5 tons of garbage.

The report put into context efforts by members of the House Environment and Natural Resources Policy Committee to adopt new goals for solid waste management.

After reviewing the report, the committee approved HF2888, sponsored by Rep. Loren Jennings (DFL-Harris). The bill articulates a goal of recognizing that waste has "value," meaning the state should promote projects that find enterprising ways to reuse trash instead of simply focusing on burying or burning it.

Further, the bill also outlines a waste management hierarchy with waste reduction and reuse as a top priority. At the bottom would be disposing trash in landfills.

The measure would also direct the Office of Environmental Assistance to develop statewide, five-year goals to improve management of solid waste and work with local governments to improve data collection that would track waste management practices.

The state Pollution Control Agency would also be required to present a report to the Legislature in 2003 reviewing the long-term liability of depositing waste in landfills, under the measure.

The bill is largely the result of recommendations made by the Solid Waste Management Advisory Committee, which included members from several state and local agencies, the private sector, and nonprofits.

The Jennings bill now moves to the House Environment and Natural Resources Finance Committee.

GAMBLING

Bingo goes global

Bingo games would have an added element of technological advancement, under a measure approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 13.

A provision of HF3073, a gambling policy bill sponsored by Rep. Mike Oskopp (R-Lake City), would allow linked bingo games in the state.

Oskopp said that currently an American Legion post, a VFW, and an Elks Club might be holding separate bingo nights each with a \$500 prize pool. The bill would allow those establishments to link themselves via satellite or other technology so the multiple sites could combine their pools into a \$1,500 pot.

"Maybe some extra folks will come out and it would be good for the local charity," he said.

King Wilson, executive director of Allied Charities of Minnesota, said after a few years of stagnant numbers bingo revenues had a sizeable drop from 2000 to 2001.

Wilson said that a number of places have ceased bingo games because of a lack of participation, a trend he says is unfortunate.

"Bingo is the most social form of gambling," he said.

The bill would also allow electronic bingo devices to be used in the state. Oskopp said those devices allow players to play multiple cards at the same time. The player punches the bingo caller's selection into a device that determines which cards contain the number-letter combination.

Rep. Eric Lipman (R-Lake Elmo) asked if there is any concern that compulsive gambling problems would increase due to the proposed changes in what bingo games are allowed, despite the slower pace of the game.

Oskopp said studies have shown it is the pace and not the amount a person can win that drives many compulsive gamblers.

Another provision of the bill would increase from \$500 to \$599 the maximum prize for a single pull tab. Oskopp said that forms would need to be filed with the Internal Revenue Service if the amount was \$600 or greater and that's why the bill establishes the \$599 cap.

The bill now goes to the House floor.

Redirecting profits

The House Governmental Operations and Veterans Affairs Policy Committee approved a bill Feb. 13 that would allow veterans organizations more flexibility in spending net profits from lawful gambling.

Current law lists a number of purposes in which organizations such as VFW or American Legion posts may use lawful gambling profits including paying taxes, contributing to a community arts organization, or helping a person or family suffering from poverty or homelessness.

Sponsored by Rep. Carl Jacobson (R-Vadnais Heights), HF3004 would add the paying of utility bills for a building owned or leased by and used as the primary headquarters of a veterans organization to the list.

Jacobson, a certified public accountant, said that over the years he has audited books for charitable organizations and has learned that many veterans organizations are struggling as their membership ages and attracting new members becomes difficult.

"Quite frankly they are hurting," he said. "If we don't do something we will lose a significant number of these clubs."

The bill would also allow the organizations to pay up to \$5,000 per year in net costs for meals and other membership events, limited to members and spouses. Jacobson said that provision of the bill was meant as a "memorial to my dad," a Korean War veteran.

"Some of the happiest moments of his later life was getting to go to dinner with some of the members," Jacobson said.

Rep. Phyllis Kahn (DFL-Mpls) said that although she would support the bill, it would be significant shift in the state's lawful gambling approach.

She said that over the years the Legislature has tried to ensure that as much money as possible goes to charitable purposes.

Tom Barrett, executive director of the Minnesota Gambling Control Board, said the board is neutral towards the plan but he was concerned that if veterans organizations were allowed greater use of profits that other charitable organizations would want the same rights. He said that allowing functions closed to the public was also a shift in policy.

The bill now goes to the House floor.

GOVERNMENT

Clean air oversight

Rep. Marty Seifert (R-Marshall) says most of the complaints in his district come from constituents who say state agencies issue too many onerous regulations, particularly when it comes to the state's Clean Indoor Air Act.

So Seifert has sponsored HF2625, a bill that would bar the Minnesota Department of Health from issuing rules related to the act without legislative approval.

The House Health and Human Services Policy Committee approved the bill Feb. 12 after a couple of members sounded off about what they deemed an encroachment by state agencies into legislative territory.

Rep. Kevin Goodno (R-Moorhead) said the department has gone way beyond its scope in establishing rules related to the Clean Indoor Air Act.

"It's absolutely not your place to change public policy," Goodno said, arguing the agency has followed a rule-making process that doesn't recognize the separation of powers in government.

Committee Chair Rep. Fran Bradley (R-Rochester) added that the committee wouldn't have approved the 1999 changes to the Clean Indoor Act had they included the agency's regulations imposed on private businesses. Bradley said the intent of the Legislature was to limit the regulations to warehouses.

Seifert said Department of Health regulations have forced small restaurant and café

owners to choose between installing costly ventilators or going smoke-free.

Speaking in opposition to the bill, Linda Bruemmer, who works in the environmental health division of the Minnesota Department of Health, said the agency has followed the Legislature's guidelines for rulemaking. The department considers new scientific research and legislative changes when implementing new rules, she said.

Bruemmer outlined the process for establishing rules, which includes seeking input from a voluntary advisory committee, conducting a hearing before an administrative law judge, posting a 20-day comment period, and finally allowing a judge and the commissioner to issue recommendations.

She said Seifert's bill might harm efforts to protect Minnesotans who are exposed to second-hand smoke.

Bradley pointed out that the bill doesn't question the harmful effects of second-hand smoke. He said it simply focuses on safeguarding legislative intent.

Addressing Bruemmer, Bradley said: "With the logic you use, the Department of Health could close McDonald's."

Border battles

Minnesotans are generally a neighborly sort when it comes to municipal boundary adjustments, the House Local Government and Metropolitan Affairs Committee heard Feb. 11.

Dean Barkley, director of the Minnesota Planning agency, presented the findings of a report on the boundary adjustment process that was mandated by a 2000 law.

The agency assumed responsibility of overseeing the municipal boundary adjustment process after the Minnesota Municipal Board sunset on June 1, 1999.

Since the sunset of the board through June 30, 2001, there were 691 municipal boundary adjustments in the state — the vast majority of which went without dispute. Only 22 were filed as contested proceedings, of which 10 went to a hearing.

Barkley said that while mediation has been accepted as a positive addition to the process, arbitration, because of its binding nature on all sides, has not. He said that in some instances, mediation has settled some cases that would not otherwise have been settled.

He said that over the long term the Legislature might wish to revisit giving the agency the responsibilities since the director is given "a lot of discretion," and that it is important for someone with that much say to remain neutral, something he has made a conscious effort to do.

FREEDOM RALLY



PHOTO BY ANDREW VON BANK

Civil liberties groups rally on the State Capitol steps Feb. 14 to protest additional powers given to officials and public restrictions proposed in various measures to address anti-terrorism initiatives.

The Office of Administrative Hearings or the Office of Dispute Resolution may be more appropriate agencies to handle the boundary adjustment process, Barkley said.

Another area of concern is the increasing costs of contested proceedings since the sunset of the board. According to the report, board members used to receive a \$50 per diem while the current process involving an administrative law hearing involves judges who are paid on a fee-for-service basis at \$150 per hour.

As a result recent proceedings involving the city of St. Cloud and St. Augusta Township cost approximately \$29,000. The board's estimated costs for the same time would have been \$1,800.

Filling vacancies

Town boards would be allowed to fill vacancies through temporary appointments, under a measure approved by the House Local Government and Metropolitan Affairs Committee Feb. 11.

HF2637, sponsored by Rep. Dennis Ozment (R-Rosemount), would authorize townships to appoint another person to serve in place of a board member who is unable or unwilling to serve after a 90-day period.

Kent Sulem, an attorney representing the Minnesota Association of Townships, said that in many of the state's smaller townships the board consists of three members. He said in one instance a board member had a stroke and another member had a heart attack a short while later thus leaving the town board without a necessary quorum to act on town matters.

Sulem said the bill would give townships the same authority that cities and counties already have to address vacant positions.

Rep. Debra Hilstrom (DFL-Brooklyn Center) said the issue of filling a vacant position occurred while she served as a city council member. She said one concern she had was whether the bill would supercede the federal Americans with Disabilities Act. If so, a board member's pay and benefits might be affected by the absence and subsequent filling of the position.

Ozment said it was his understanding that the bill would not supercede the federal act, and that in many cases town board members are only paid a per diem for their services.

Under the measure, town boards, by resolution, would declare a vacancy exists and would make an appointment to fill the vacancy for the remainder of the unexpired term or until the absent member is able to resume duties, whichever is earlier.

"This will allow for undisputed situations to go forward," he said.

The bill now goes to the House floor.

★ HEALTH

State grant changes

Organizations that provide family planning services that include abortion services or referrals for the procedure would be banned from receiving state grants, under a bill approved Feb. 14 by the House Health and Human Services Policy Committee.

Specifically, the bill would preclude grant-seeking organizations from engaging in

“public advocacy” of abortion, which includes lobbying abortion-related legislation, endorsing candidates based on their views on the subject, or suing a unit of government to bar the enforcement of an abortion regulation.

The bill would also require that the organization submit its most recent independent audit when applying for the grants.

Rep. Mary Liz Holberg (R-Lakeville), sponsor of HF3130, said the bill is modeled after a Missouri statute and is designed to encourage traditional childbirth care.

Andrea Rau, who represents Minnesota Citizens Concerned for Life, said the measure “protects taxpayers from funding something that is morally wrong.”

Those who testified in opposition to the bill said it would restrict other family planning services intended to prevent unwanted pregnancies. Critics of the measure also challenged its constitutionality.

Connie Perpich, spokeswoman for Planned Parenthood of Minnesota and South Dakota, said the organization receives about 5 percent of its overall funding from the state. She said those dollars are strictly monitored and diverted from abortion services.

“It is simply not true that your tax dollars fund abortions,” Perpich said.

Others critical of the bill questioned whether it would limit health care options for lower income women.

Rep. Thomas Huntley (DFL-Duluth) pointed out that Planned Parenthood serves a number of uninsured women, providing them with annual physicals and other health care services at a low cost.

Challenging that point, Rep. Richard Mulder (R-Ivanhoe) said other state providers that don’t receive family planning grants won’t be barred from serving women who seek the full range of family planning options.

“This bill would not preclude any of these services for any woman in the state,” Mulder said.

The bill now goes to the House Health and Human Services Finance Committee.

Nursing compact

Minnesota would become part of a 17-state nurse-licensing compact, under a bill approved by the House Health and Human Services Policy Committee Feb. 13.

Under the compact, a Minnesota nurse wouldn’t have to attain a license in the other states to practice, but he or she would be obligated to follow the state’s nursing regulations.

Currently, the four states bordering Minnesota participate in the 16-state compact.

It also calls for the participating states to work together on a shared database with

information about the licensed nurses, including any disciplinary actions taken against them.

Proponents of HF2702, sponsored by Rep. Richard Mulder (R-Ivanhoe), heralded the bill as an opportunity to address the state’s nursing shortage in the border cities and ease care for out-of-state patients. Many Minnesota providers care for patients who live in neighboring states that require phone consultations when they return home.

Critics of the bill argued that it could undermine the state’s quality of patient care.

Ranee Cronquist, assistant director for nursing practice with the state’s Board of Nursing, said it’s not a fix for the state’s overall nursing shortage. But she added that it would help hospitals move nurses to areas of critical need.

The state currently has about 3,000 registered nursing position vacancies.

Cronquist compared the compact to individual state driver’s licenses. Under the arrangement, nurses wouldn’t be burdened with duplicative licensing requirements, she said.

The compact would also make it easier for nurses to consult with patients living in other states by phone or electronically, said Margaret Perryman, president of Gillette Children’s Specialty Healthcare in St. Paul. The provider primarily cares for disabled children.

However, Erin Murphy, a bill opponent, said the compact could expose Minnesota nurses to added liability when they care for out-of-state patients.

Murphy, executive director of the Minnesota Nurses Association, said the drafters of the bill couldn’t answer how it would improve the practice of nursing in the state. She said border communities face legitimate concerns about the difficulty of moving nurses to different hospitals, clinics, and nursing homes.

The committee defeated an amendment by Rep. Jim Abeler (R-Anoka) that would have replaced the compact with a reciprocity agreement with the border states.

The bill now moves to the House Civil Law Committee.

Deadline extension

The Minnesota Board of Physical Therapy would have extra time to complete their rulemaking process, under a measure approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 11.

Stephanie Lunning, the board’s executive director, said the board was established in 1999. Among its duties are to administer, coordinate, and enforce state laws relating to physical therapists, and investigate people

engaging in practices that violate those laws.

Minnesota law defines physical therapy as the evaluation or treatment by the use of physical measures and the use of therapeutic exercises and rehabilitation procedures with or without assisting devices for the purpose of preventing, correcting, or alleviating a physical or mental disability.

The governor appoints the nine board members, which are four physical therapists, one licensed doctor of medicine, one physical therapy assistant, and three members from the public.

The 1999 law that established the board required the organization to develop rules for a code of ethics of physical therapists within 18 months. That would have meant the rules must be in place by Feb. 1, 2001. The board approved rule making in December 2000 but because of a requirement of a 60-day comment period, was unable to meet the 18-month requirement. Lunning said the time extension request was due to an administrative oversight.

The bill (HF2698), sponsored by Rep. Erik Paulsen (R-Eden Prairie) would give the board an additional 18 months to complete the rules.

Lunning said the board worked with the Board of Medical Practice on the rulemaking process and would continue to do so if granted the extension requested.

The bill now goes to the House floor.

HIGHER EDUCATION



Appropriation cuts

Compared to recommendations by the Senate and Gov. Jesse Ventura, the budget cuts approved Feb. 13 by the House Higher Education Finance Committee are less severe to institutions.

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

Faced with a reduction target of \$50 million, the committee cut almost \$20 million from the University of Minnesota appropriation for fiscal year 2003 and \$19.2 million from the Minnesota State Colleges and Universities system. The institutions were cut by an equal percent of their total appropriation.

It also clipped \$10.9 million from the Higher Education Services Office.

The Senate also proposed cuts totaling \$50 million, but didn’t cut the office as much. The governor seeks \$70.6 million in higher education budget cuts for the 2002-03 biennium.

The bill anticipates the trio would also get a combined \$100 million less in the 2004-05 biennium under the bill (HF3286), sponsored by Rep. Peggy Leppik (R-Golden Valley), the



Justin Klander, state chair of the Minnesota State University Student Association, shares concerns of college students with the House Higher Education Finance Committee Feb. 13. The hard hat represents students looking out for higher education budget cuts.

committee chair.

Throughout the plan the committee's goal was to effect students as little as possible.

"We are still fully funding the state grant program," Leppik said as an example.

Language in the bill calls for both MnSCU and the university to minimize student impact "by decreasing administrative expenditures and reserve balances before increasing student tuition." Representatives from both institutions said they could adhere to that.

But there is bad news for students as the bill calls for the elimination of new matching grants for those enrolled in the Minnesota College Savings Plan. Those who have already invested dollars will receive their grant.

A program that was to give a grant to high school students earning a specified score in advanced placement or international baccalaureate classes was cut for the current and next biennium. No monies had yet been paid.

In addition, any positive state general fund balance at the end of the current biennium would first be used to restore appropriation reductions to MnSCU and the university, under the bill.

Much discussion also took place regarding reciprocity, and how to reduce the money Minnesota pays Wisconsin and North Dakota, which totaled about \$3.8 million in 2001.

Rep. Joe Opatz (DFL-St. Cloud) offered a successful amendment that prevents HESO

from negotiating any agreements that allow students from reciprocity states to pay less than Minnesota students at a Minnesota institution.

He estimated that if the policy were changed, the university would generate about \$7 million during the biennium and MnSCU about \$1 million.

"When we're looking for pennies under the couch this would help," said Rep. Marty Seifert (R-Marshall).

Two other Opatz-sponsored bills (HF2824 and HF3259) are headed for the House Civil Law Committee, and if approved there would likely be offered as amendments during floor debate. They seek to have students about to graduate from a Minnesota college or university to give permission to have their data tracked for purposes of where they end up living.

"This way we can try and get a better handle on migration patterns to and from the state," Opatz said. Other states would be required to do the same.

HOUSING



Initiatives proposed

On a night in November 2001, nearly 1,200 individuals were turned away from homeless shelters in Minnesota, according to the quarterly shelter survey conducted by the state's education department.



Jimmie Coulthard, president and CEO of the Minnesota Assistance Council for Veterans, testifies during a Feb. 13 hearing of the House Jobs and Economic Development Finance Committee for a bill that would bond for the construction of housing for homeless veterans and single adults.

Two bonding proposals aim to lower that number dramatically. One bill (HF2644), sponsored by House Majority Leader Tim Pawlenty (R-Eagan), would use \$23.7 million to construct two housing developments for veterans.

Under the bill, 218 single units would be constructed for \$14.5 million in Minneapolis, and 120 units would be built in St. Cloud using \$9.2 million.

"By creating housing opportunities ... we would open up other shelter space for others to use," Pawlenty told the House Jobs and Economic Development Finance Committee Feb. 13.

The housing units in Minneapolis would be located on the outskirts of the city, moving many veterans out of the downtown area. Former Minneapolis Mayor Sharon Sayles-Belton indicated this was a priority when the bill was drafted.

During 2001, legislation for the housing projects passed the House but not the Senate. Committee members expressed full support again this year and a desire to see that the Senate moves the bill forward as well.

Rep. Dale Walz (R-Brainerd) said the bill is his highest priority for the committee and he was disappointed with the governor's \$4.4 million recommendation for the project.

Michael Dahl, executive director of the Minnesota Coalition for the Homeless, said his organization's top priority is to make sure the veterans housing proposal gets funded, but his group is looking out for others as well. The housing initiatives "will help those who are hardest to serve," he said.

In a separate bill, Dahl is asking for \$10 million in bonding funds to build transitional housing. HF3017, sponsored by Rep. Karen Clark (DFL-Mpls), would provide those funds.

"Homelessness has been rising dramatically in the past four to five years," Dahl said. He brought a blanket to the hearing, explaining to members that the housing coalition used to hand out surplus blankets, but because of the war, they have none to give.

There are many shelters in the state, but "we want (the homeless) to be in something much more stable," Dahl said. The fund provided in the bill would primarily help families, about 300 people per night, he said.

The committee approved both bills and sent them to the House Capital Investment Committee, where they will be considered for inclusion in the bonding bill.

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

★ HUMAN SERVICES

Full disclosure

Child-placement agencies would be required to disclose a child's communicable diseases to foster parents, under a bill approved by the House Health and Human Services Policy Committee Feb. 12.

Rep. Barb Sykora (R-Excelsior), the sponsor of HF2932, said the disclosure requirement is necessary to ensure foster parents are equipped with enough information to best care for the child.

"This is something we need to do," Sykora said. "Foster care parents are a real treasure. This bill will make it easier for them to do what they do."

Hennepin County Commissioner Penny Steele said the genesis of the bill came from concerned foster parents in the county who said they were troubled by the lack of information about children's health.

A section in the bill, however, concerned Rep. Neva Walker (DFL-Mpls). The provision requires the placement agency to determine that the foster parent has the requisite "knowledge and skills" to care for the child.

Walker said she was concerned that a social worker would have too much discretion in establishing criteria assessing the foster parent's abilities.

Other members said the bill should be drafted so as not to reduce the number of eligible foster care parents.

The committee later approved an amendment that requires the foster parents to have the "ability" to care for the child with the communicable disease.

Rep. Betty Folliard (DFL-Hopkins) said the burden should be on the counties to make sure foster parents are properly trained before they take children into their homes.

The committee referred the bill to the House Crime Prevention Committee.

★ INSURANCE

Ovarian cancer screening

Insurance companies may soon be required to provide coverage for ovarian cancer screening for women at risk, under a bill (HF3234), sponsored by Rep. Karen Clark (DFL-Mpls).

"Early detection makes all the difference for women," said Clark, a survivor of ovarian cancer. Current law already requires insurance companies to cover screening for most cancers.

However, at the Feb. 12 hearing of the House Commerce, Jobs, and Economic Development Committee, members cautioned proponents

of imposing another insurance mandate in the state.

Minnesota has "many, many mandates," said Rep. Dan McElroy (R-Burnsville). "I'm very concerned that this approach may have a different result than you anticipate," he told bill supporters.

Mandates do not apply to most people insured through their employer, because they use company plans, which are self-insured plans the state cannot regulate.

Insurance companies may also raise the rates of their plans if the bill becomes law because it would be an additional mandate to fund. However, if cancer is detected in an early stage, it costs much less to treat than cancer discovered at a late stage.

Under HF3234, "at risk for ovarian cancer" includes having a family history of one or more close relatives with the disease or of clusters of female relatives with breast cancer.

Molly Cade, president of Minnesota Ovarian Cancer Alliance, said ovarian cancer is a "sneaky cancer" because it usually presents itself at a very late stage.

Kay Banister-Schaeffer is one example of receiving a late diagnosis. She was diagnosed in stage 3C (stage four is "the end," she said), and was given a 33 percent chance of living five years.

"Because (ovarian cancer screening) was not covered by insurance in some cases, the doctors decided to hold off," she said. "All these costs together are a very small price to pay."

Dr. William Cliby, a gynecologist at the Mayo Clinic, said one study of ovarian cancer screening has shown that survival doubled when women received early screening. He said the average risk is 50 out of 100,000 women.

Rep. Fran Bradley (R-Rochester) asked how many women in Minnesota would qualify for the screening. Cliby didn't have any hard data, but he said it is a small segment of patients at the Mayo Clinic.

Bradley is chair of the House Health and Human Services Policy Committee, where the bill is headed next.

★ LAW

Legalizing fireworks

A plan to legalize the use of fireworks in Minnesota set off sparks at the House Crime Prevention Committee meeting Feb. 14.

Rep. Mark Holsten (R-Stillwater), the sponsor of HF1543, said Minnesotans already use fireworks and regulating them would allow the state to make sure they are used safely and responsibly.

Opponents said fireworks are dangerous, a fire hazard, and disproportionately injure children.

The bill would allow fireworks approved by the federal government to be sold by licensed dealers from May 1 to July 15 and Dec. 1 to Jan. 2 and used on private land from July 1-7 and Dec. 25 to Jan. 2.

Fireworks would be sold only to adults who have never been convicted of felonies, and would allow novelty devices such as snakes and sparklers to be sold at any store.

Public Safety Commissioner Charlie Weaver said the bill has the full support of Gov. Jesse Ventura.

The governor likes fireworks and believes the bill takes a cautious approach by limiting who can buy them, when they can be purchased, and where they can be used, Weaver said. Ventura is also tired of seeing Wisconsin and other neighboring states collect tax dollars from Minnesota residents, he added.

Patrick Carlon, development director with fireworks manufacturer B.J. Alan Co., said fireworks are safer now than they have ever been, adding that fireworks could go off in a person's hand without them losing any fingers.

But others said that doesn't mean fireworks are safe.

Rep. Wes Skoglund (DFL-Mpls) pointed out that most fireworks injuries affect someone other than the person who lit the firework.

Nyle Zikmund of the Minnesota State Fire Chief's Association said children are most at risk to be injured by fireworks.

He said the bill isn't a restricted approach to legalization, since the state has had a complete ban for 60 years and is now considering legalizing all types of fireworks.

Zikmund and Anne Finn, representing the League of Minnesota Cities, said enforcement and fire suppression would be expensive to state and local communities already strapped for cash with the budget shortfall.

The committee approved the bill and sent it to the House Judiciary Finance Committee.

Commitment redefined

The House Civil Law Committee approved a bill Feb. 11 that would change the law regarding when people can be detained or held in an institution for the mentally ill.

By deleting the word "imminent" from the phrase, "imminent danger," the bill would allow law enforcement agents to detain those who are judged to be in danger of hurting themselves or others.

Current law requires a mentally ill person to be in "imminent danger" of hurting themselves or others before they are restrained or placed in an institution.

Rep. Mindy Greiling, (DFL-Roseville), sponsor of HF2735, said the bill simply cleans

up a bill passed by the Legislature in 2001. Although a conference committee from last year removed the word “imminent,” somewhere along the line, a mistake was made and the word made its way back into the bill.

But opponents of the bill said it is more than a cleanup since removing that word would allow people to be committed more easily.

Nancy Schumacher, executive director of the Citizen’s Commission of Human Rights, said there are many examples of people being committed and held with no evidence that the person is a danger to themselves or others.

Even a man who hasn’t been to the grocery store in a while and has no food in his house could be considered to be a danger to himself since there is evidence that he is not eating anything, she said.

Often, ex-girlfriends, ex-boyfriends, or landlords may attempt to have someone who is not mentally ill committed, said Louise Bouta, executive director of Well Mind Association of Minnesota.

Mental illness is also commonly misdiagnosed and the state should be very careful about whom they commit and how those committed are treated, she said.

The committee approved the bill, and it now goes to the full House.

Reporting gunshot wounds

The House Crime Prevention Committee approved a bill Feb. 7 that would require health professionals to notify the state when they treat gunshot wounds.

The bill (HF1908/SF1297*), sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights), now goes to the House floor.

The bill was approved by the committee during the 2001 session but did not receive a vote in front of the full House. It passed the Senate 61-1 on April 18.

It would require that health professionals report any wounds connected with the discharge of a firearm — including bullet wounds and powder burns — to the state commissioner of health. The bill also would eliminate the need for health professionals to send a letter to law enforcement officials reporting the incident if the provider already notified authorities by phone.

The Department of Health would then be required to provide written information about gunshot wounds to law enforcement, under the bill.

McGuire testified the bill is intended to streamline the reporting process and help health officials gather accurate information about gunshot injuries.

Five kinds of trauma are currently reported to the Department of Health: kinetic brain

injuries, spinal cord injuries, firearms injuries, burns, and occupational trauma. Information collected is not broken down by specific individuals, either, officials say. They are viewed in the aggregate.

“I think crime is a public health issue and is something we should all be concerned about,” McGuire said.

★ LOCAL GOVERNMENT

Commission increase

People wishing to serve on the Shakopee Public Utilities Commission would see their chances increased, under a bill passed by the House Feb. 11 by a 123 to 4 vote.

HF2624, sponsored by Rep. Mark Buesgens (R-Jordan), increases the commission from three members to five.

Buesgens said that the city of Shakopee has seen tremendous growth over the past decade, as has the entire northern Scott County region. He said population in the city has doubled during the last 10 years and is expected to double again by 2010.

The commission is responsible for the management of publicly owned water and electric utilities in the city. Its members serve three-year staggered terms and are appointed by the city council.

The bill would maintain the staggered terms. One position would expire on April 1, 2004, while the second additional position would expire on April 1, 2005 under the measure.

The measure would prohibit more than one city council member from serving on the commission.

Buesgens said that there is precedent for the bill — the city of Grand Rapids received similar authority in 1999.

The bill, which has yet to be heard by the Senate, would become effective upon local approval.

★ SAFETY

Yield to emergency vehicles

Police should be given greater authority to ticket drivers who refuse to yield to emergency vehicles, a House committee decided Feb. 12.

The House Crime Prevention Committee approved HF2706, a bill that would allow emergency vehicle drivers to call in license plate numbers of vehicles whose drivers refuse to yield the right of way.

Rep. Matt Entenza (DFL-St. Paul), the bill sponsor, said he has noticed drivers are increasingly refusing to yield to fire trucks,



St. Paul Fire Chief Tim Fuller testifies before the House Crime Prevention Committee Feb. 12 in support of a bill that would give police greater authority to ticket people who refuse to yield to emergency vehicles.

ambulances, and other emergency vehicles.

The bill is similar to a law that allows school bus drivers to call in license plate numbers of drivers who ignore the bus stop sign, Entenza said.

St. Paul Fire Chief Tim Fuller and about a dozen members of the city’s fire department attended the meeting to show support for the measure.

Fuller said he has been in the business for 31 years but the problem of people refusing to stop has gotten worse lately.

“Over the last few years, for whatever reason, there has been a tremendous increase in the number of vehicles that refuse to yield right of way to emergency vehicles,” he said.

Drivers who do not pull over cause accidents and put emergency workers lives at risk, he said, adding that the job of a firefighter is dangerous enough without having to worry about drivers not stopping.

Tim Regan, a St. Paul firefighter, also spoke in favor of the bill. He said he was involved in an accident last year after a driver tried to cut in front of an ambulance as it was responding to a severe asthma attack at a St. Paul school.

Not only did the driver put his own life and the life of the ambulance crew at risk, but the boy who was having the attack also could have died since another ambulance had to respond to the call, he said.

Rep. Doug Fuller (R-Bemidji) noted that although those testifying on the bill were from

St. Paul, the problem is not confined to the Twin Cities metropolitan area. He has seen drivers from his district disregard emergency vehicles as well, he said.

The bill now moves to the House Transportation Policy Committee.

Fire retardant cigarettes

Fire retardant cigarettes could be the norm in Minnesota by 2004 under a measure approved by the House Commerce, Jobs, and Economic Development Policy Committee Feb. 13.

HF175 failed to win approval from the committee last session, but Rep. Greg Davids (R-Preston), the committee chair, said at the time he promised the committee would hear the bill again if nothing was done to address the issue on the federal level.

Davids sponsored a House resolution last session calling for Congress to take action on the matter.

The bill's sponsor, Rep. Dennis Ozment (R-Rosemount), a retired firefighter, said if states begin adopting standards, it's likely there would be more movement federally and tobacco manufacturers would continue to develop cigarettes that extinguish themselves more readily than the current product.

The original bill required the state fire marshal to adopt rules for fire retardant standards for cigarettes before July 1, 2003.

Bob Dahm from the state fire marshal's office said the bill is patterned after legislation passed in New York. He said the New York process is on schedule and standards should be in place by July 1, 2003.

The committee adopted an amendment requiring that 75 percent of the product a cigarette manufacturer sells in the state must comply by July 1, 2004, with the extinction method identified in a document issued from an agency housed in the U.S. Commerce Department.

Mike Stockstead, representing the Minnesota Professional Firefighter's Association, said fires started by cigarettes are "by far" the leading cause of fire fatalities.

But not everyone agrees that the legislation is a good idea. Jim Gould, an attorney representing tobacco manufacturers, said the version of the bill voted down last year was "far less radical" than the amended bill.

"There are some risks that legislatures can't address," he said. "No cigarette will prevent fires from happening. As long as they are lit they are a fire hazard."

Tom Briant, executive director of the Minnesota Wholesalers Marketers Association, said no cigarette currently exists that would

meet the standards set in the bill. He said the bill could force consumers to drive to other states to buy cigarettes or buy them off the Internet.

But Ozment said if the standard is set, tobacco manufacturers will find a way to remain in the market.

"If the will is there, the industry can adapt," he said.

The bill now goes to the House floor.

Planning behind doors

The House Local Government and Metropolitan Affairs Committee approved a bill Feb. 11 that would allow public bodies to close their meetings when discussing some security issues.

HF2849, sponsored by Rep. John Tuma (R-Northfield), is one of several anti-terrorism measures the House Crime Prevention Committee will compile into one bill after the measures receive the necessary hearings in various committees.

The committee adopted a delete-all amendment that Tuma said was a compromise reached between groups representing county, city, and township officials and groups representing newspapers.

It requires meetings closed because of discussions related to security information to be tape-recorded. If a newspaper or an individual challenges the decision to close the meeting, a judge would review the tape to determine whether it should become part of the public record. The recording must be preserved for two years, under the bill.

Under the bill the public body is only allowed to close the meeting when discussing issues related to security systems, emergency response procedures, and security deficiencies in public services, infrastructure, and facilities if disclosure of the information would pose a clear danger to public safety.

Financial issues related to security matters must still be heard in an open meeting, under the measure.

Current law states that public bodies can close meetings when evaluating the performance of an individual who is subject to its authority or when the closure is authorized by statute or permitted by the attorney-client privilege.

Tuma said the issue was brought to him by a city in his district that was in the process of updating its emergency response plan following Sept. 11, and discovered that all the discussions and information involved were a matter of public record.

The bill now goes to the House Crime Prevention Committee.

Mine inspection reports

Mine inspection reporting will become a little simpler, under the first bill passed by the House this session.

By a 127-0 vote on Feb. 7, the House passed HF2642, sponsored by Rep. Chris Gerlach (R-Apple Valley). It eliminates a requirement that a report produced by an inspector of mines be filed with the Department of Labor and Industry. The report would still be filed with the appropriate county auditor.

Gerlach said department officials, who said that they do not use the report, brought the measure to him and that all the information required is included in other sources. The bill merely removes the department from the distribution list.

The annual report includes information such as the number of visits and inspections made, the number of mines in operation and not in operation, the quantity of ore shipped, the number of workers employed, and the average wages paid for different kinds of work.

There is also some safety information included in the report including the number of accidents, fatal or otherwise, and the cause of the accidents.

In the Senate, the bill awaits a hearing in the State and Local Government Operations Committee.

★ TAXES

Bread tax correction

Some bakery goods were inadvertently added to the list of items subject to sales tax in a 2001 law, but that situation would change under a bill heard by the sales tax division of the House Taxes Committee Feb. 13.

HF2876, sponsored by the Rep. Ron Abrams (R-Minnetonka), would reverse a provision in the 2001 omnibus tax law that made bakery goods made by the seller subject to sales tax.

"When the sales tax was first enacted in 1967 the basic rule was if you eat it or wear it, it ain't taxed," Abrams said. "In the past 35 years there have been changes."

He said one of the most "vexing" decisions made by the Legislature in regards to the sales tax was deciding that food in restaurants would be taxed.

As part of the state's participation in an effort known as the "Streamline Sales Tax" project in 2001 the definition of prepared food was changed in law.

Forty-one states have been involved in the project. The goal is to simplify and modernize local and state sales taxes so vendors are more likely to comply with the laws.

A University of Tennessee study estimates



Sandy King of Jerry's Enterprises in White Bear Lake, *left*, Jim Almsted of Almsted Enterprises in St. Louis Park, *center*, and Lynn Shurman from the Cold Spring Bakery and president of the Minnesota Bakery Association, *right*, fill the table with baked goods as they testify Feb. 13 before the Sales and Income Tax Division of the House Taxes Committee for a bill that would exempt certain bakery products from the definition of prepared food.

that Minnesota lost \$271 million in uncollected sales tax from remote sales last year and that number will be around \$921 million by 2006.

One of the first steps in the streamline project was to come up with common definitions to be used by the states that participate in the project. The project's definition for prepared food included bakery goods made by the seller.

Abrams said it was never the intention for bakery goods to be taxed. "This is a mistake from last year and we ought to correct it," he said.

Jim Almsted, an owner of three Super Valu grocery stores in the Twin Cities metropolitan area, said customers don't understand why bread made in the stores is now subject to sales tax while bread made elsewhere remains tax free.

"As time goes on this will be a bigger and bigger issue," he said.

The Department of Revenue estimates the cost of exempting bakery items would be around \$561,000 in 2002, \$6.9 million in 2003 and more than \$7 million in the following years. Abrams said he believes that number is inflated because of assumptions made in determining the estimate.

HF2876 will be considered for inclusion in a possible omnibus tax bill.

Governor's plan defended

After several hearings in which groups representing various constituencies expressed concern over Gov. Jesse Ventura's proposal to

address the budget deficit, administration officials were given a chance to respond Feb. 12 before the House Taxes Committee.

Matt Smith, Department of Revenue commissioner, said there would be objections to any specific spending cuts or increased tax proposals, but he said Ventura believes it is of great importance to address structural deficits now rather than later.

"Putting the proposal on the table has frankly caused the governor to take a lot of hits on the chin," Smith said.

He said the number of people and groups testifying against the governor's proposal was like a "parade of horrors." But he said that should the Legislature choose to address the deficit for the current biennium by spending down state reserves and not addressing the long-term structural deficit, members would return next year to "another horror story."

Smith said a short-term fix would mean that county, city, school district, and higher education officials would set their budgets on whatever state budget the Legislature approves this session. If the current budget forecast is accurate or if the deficit becomes even larger, then the ability to address the shortfall would become even more difficult.

"The choices would be even starker than they are today with larger tax increases and deeper cuts," Smith said. "But the bad dream doesn't have to happen."

He said by addressing structural deficits this session lawmakers could make the long-term problem "manageable or even solve it."

Smith said Ventura's proposed tax increases, specifically an increase in the gas tax and tax

on cigarettes, were chosen because they are currently lower than the same taxes imposed in neighboring states. Most would take effect July 1, 2003.

Rep. Rob Leighton (DFL-Austin) said that if the governor is serious about addressing the long-term problem he could send a message to the Legislature threatening to veto any bill that doesn't deal with the projected shortfall for next biennium.

Information provided by nonpartisan House Research staff shows that only three other states are considering tax increases that far into the future.

Rep. Ron Abrams (R-Minnetonka), the committee chair, questioned whether the data meant lawmakers in other states were "ducking their responsibilities."

Smith said that he couldn't speak for what was occurring in other states but the administration's proposal dealt with Minnesota's deficit in a "reasonable manner."

Bleak picture

Essential county and city services may have to be cut if Gov. Jesse Ventura's proposed tax increases are approved, local government officials told the House Taxes Committee Feb. 7.

Jim Miller, executive director of the League of Minnesota Cities, said that the governor's proposed reductions in local government aids are "disproportionate and inappropriate."

Miller said the governor's proposal to have the largest aid cuts to those cities whose 2002 levy and aid growth was more than 25 percent above the three-year average local household growth and inflation would make providing essential services in those cities "very difficult."

He said that city levies in some cases increased at greater levels than in the past few years because of rising health care costs and security issues prompted by the events of Sept. 11.

In addition, Miller said because cities have already established their levies for the next year, they will not have the opportunity to make up the cuts in aids by increasing levies.

Rep. Ron Abrams (R-Minnetonka), the committee chair, said he doubted whether Sept. 11 played a role in the aggregate increases in city levy plus aid. Abrams said that the average increase in the past few years was around 5 percent but that same figure for the aggregate levy plus aid was around 9.5 percent.

Abrams said that cities are required to certify their levies by Sept. 15; therefore, the events of Sept. 11 were unlikely to affect levy decisions.

Curtis Jacobsen, the Isanti city administrator, agreed that cities should be expected to participate in helping solve the budget deficit, but he said that in some cities such as his own, cuts based on levy and aid growth were not fair.

Jacobsen said Isanti is experiencing a large population growth and a corresponding growth in housing startups. He said that if the proposed cuts are enacted the city would have to look to such budget savings as not hiring a new police officer, possibly selling the community center, eliminating training budgets, eliminating street lights, and raising building inspection fees.

"There is no pot of gold sitting in the city's coffers," he said.

★ TECHNOLOGY

Funding concern

Minnesota schools so far have no technology funding for this fall, and with the budget deficit, the Legislature is strapped for cash.

A new report has recommended that the state fund technology for schools differently, but House members said they're not ready to take that step.

"We have a serious problem in terms of what we're going to do for next year," said Rep. Bob Ness (R-Dassel), at the Feb. 8 meeting of the House K-12 Education Finance Committee.

In the 2001 budget year, the Legislature only appropriated technology funding for fiscal year 2002, deciding to take care of 2003 during this legislative session. But now the state is faced with a nearly \$2 billion deficit. Gov. Jesse Ventura did not include technology funding for schools in his budget recommendations.

Committee Chair Rep. Alice Seagren (R-Bloomington) said she wants a signal from the governor's office but no direction has been given.

Technology was not funded last year in part because the committee was waiting for more information, commissioned in a report from the Legislature. The report is titled Permanent Funding for K-12 School and Public Library Telecommunications Access.

To achieve a comprehensive statewide structure the report recommended several steps. Among them is a universal services fund, fueled by a statewide customer telephone surcharge that would generate the revenue needed to support school and library access.

A state agency would coordinate telecommunications infrastructure and local needs, as well as distribute money from the fund.

Seagren said it is a good plan, "but I don't know if we'll go along with a universal access charge to phones."

Rep. Ken Wolf (R-Burnsville) brought a different perspective to the table. Wolf serves as chair of the House Regulated Industries Committee, which last year considered legislation for wiring Greater Minnesota with broadband.

"High speed technology is not just a school issue, it's a Greater Minnesota issue," he said. But the bigger issue is, he said, "Who pays for it?"

"Sooner or later we will have some sort of universal service fund for economic development in Greater Minnesota," which would also serve schools and libraries, but, Wolf said, it won't pass Regulated Industries for just those two entities.

"A user fee for K-12 wouldn't happen?" Seagren asked. Wolf replied that it is "highly unlikely" due to little support.

★ TRANSPORTATION

Bus routes at risk

A plan to trim the state's transportation budget was approved Feb. 13 by the House Transportation Finance Committee.

It calls for \$10.5 million in cuts to the 2003 budget for the Department of Transportation, public safety, and the Metropolitan Council. It would also project reducing the base general fund appropriations to those agencies by \$11 million in 2004 and 2005.

Included in committee plan is a \$7 million reduction in operating funds for Metro Transit bus operations.

But Mike Setzer, general manager of Metro Transit, said increasing fares or decreasing service to make up the difference would drive off riders.

The number of people riding buses has risen in the past few years, and the state should encourage the trend, he said.

The Twin Cities is the 14th most congested metropolitan area in the country and encouraging people to ride buses will help alleviate the crowded streets, he said.

Metro Transit recently increased bus fares by a quarter, and raising them another quarter would mean prices would go from \$1 to \$1.50 in about 15 months, Setzer said.

"Fare increases drive riders away. Raising them steeply and often drives them away quickly and permanently."

Decreasing service will also cause people to stop riding, he added, noting there were about 1,500 complaints of overcrowding on buses last year, and reducing service could cause people to get fed up.

The plan also calls for a reduction in state assistance for bus service in Duluth.

Donna Allan, director of office transit with the Minnesota Department of Transportation, said the cuts could force Duluth to eliminate night and weekend bus service or increase fees.

Also at risk is the Riverview Corridor Project, a busway that would connect South St. Paul to the Mall of America.

The committee budget would reduce money previously set aside for the project from \$44 million to \$4 million.

Tony Schertler worked on the project with the Office of Planning and Economic Development for the city of St. Paul. He encouraged the committee to leave funding for the project in place.

The city has already spent time and money on the project and doesn't want to be stuck with an unfunded project, he said.

A bill reflecting the decisions of the committee was not formally introduced when this issue of *Session Weekly* went to press.

Expansion sought

Funding is being sought for a road reconstruction that proponents say would increase safety and would aid in expanding the economy in parts of southwestern Minnesota.

Rep. Marty Seifert (R-Marshall) presented HF2670 to the House Transportation Policy Committee Feb. 7. No vote was taken on the matter.

The bill would require the Department of Transportation to designate Highway 23 from St. Cloud to Interstate 90 as a high-priority interregional corridor, and to reconstruct it as a multi-lane divided highway. It calls for all segments to be completed, under construction, or included in the statewide transportation improvement program by Jan. 1, 2013. No project costs are included in the bill.

"This is a tricky bill in that specific road funding is sort of taboo around here," said Rep. Tom Workman (R-Chanhassen), the committee chair. He expressed concern that approving the bill would set a precedent when dealing with other highway projects such as U.S. highways 14 and 212.

Gordon Crowe, director of government and community affairs for Marshall-based Schwan's, said the company ran more than 28,000 semi-tractor trailers in and out of Marshall last year. He said the company is totally dependent on over-the-road transportation of its goods and it is imperative that highways in the area be improved.

"We want to be able to adequately connect with other major state and interstate highways," he said.

Marshall is located on Minnesota Highway 23 in southwestern Minnesota.

In addition to economic concerns, Dan Thompson, president of Minnesota Corn Processors talked about safety. Noting that there were about 200,000 semi-tractor trailer trips in and out of the company's Marshall refinery last year, he said, "It's very unsafe to have 100,000 semis enter onto a 55 mph highway." He said a child of an employee was killed there when hit by a truck.

The stretch of Highway 23 between St. Cloud and Willmar, considered an at-risk corridor by MnDOT officials, is scheduled to become a four-lane roadway by January 2004, at a cost of \$72 million. However, the stretch from Willmar to Marshall will still be a two-lane road.

Randy Halvorson, director of MnDOT's program delivery group, said all interregional corridors in the state are to be revisited in 2003.

"We've heard this story before from other corridors," he said. "Ultimately the size of this pie (made available for road funding) must be increased."

What's on the Web

Tracking votes

The House Web site is offering a new feature that will help constituents track votes on specific pieces of legislation more easily.

If you are looking for a specific bill, follow these steps to find the vote totals on the Internet:

- Go to the main House Web site (www.house.mn).
- Either type in a bill number or go to the link labeled "Bills" and fill out the form.
- A screen will pop up with several links. The third link down says "Recorded Roll Call Floor Votes." Click on it to view the votes.

You will also find all roll call votes on amendments to any particular bill.

Previously, the only way to obtain vote totals was to look through the House Journal for the day on which the bill was heard.

New Web site addresses

World Wide Web addresses for the Minnesota Legislature are now shorter and easier to access.

Previously, the addresses were longer and more cumbersome. However, you can now access the pages through the following addresses:

- Minnesota House — www.house.mn
- Minnesota Senate — www.senate.mn
- Minnesota Legislature — www.leg.mn

If you have the pages bookmarked, you should be directed there automatically.

Although the Web addresses are shorter, this change does not affect e-mail addresses for representatives, senators, and staff. You must still use the full address.



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Lieutenant Governor

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175 State Office Building 296-2146

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TTY, House 296-9896

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Chief Clerk of the House

211 Capitol 296-2314

Index, House

211 Capitol 296-6646

Sergeant at Arms, House

45 State Office Building 296-4860

Committee Hotline, House 296-9283

Information, Senate

231 Capitol 296-0504

Toll free 1-888-234-1112

TTY, Senate 296-0250

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Secretary of the Senate

231 Capitol 296-2343

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Index, Senate

110 Capitol 296-5560

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Senate Chamber 296-7514/296-1119

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Legislative Reference Library

645 State Office Building 296-3398

Governor's Office

130 Capitol 296-3391

Attorney General's Office

102 Capitol 296-6196

Secretary of State's Office

180 State Office Building 296-2803

Capitol Security

B-5 Capitol 296-6741

Emergency 296-2100

What's the score?

Plan that alters the way insurance companies decide who to cover is headed for the House floor

By DAVID MAEDA

Personal borrowing and spending habits may be playing more of a factor in determining how much consumers pay for automobile insurance than the number of accidents or traffic violations people been involved in.

Some lawmakers don't think the insurance underwriting practice known as credit scoring is a fair way to determine premiums that drivers and homeowners pay.

However, insurance industry representatives say there exists a statistical correlation between those with poor credit histories and those who tend to file more claims.

As it was introduced, HF2492 sponsored by Rep. Greg Davids (R-Preston), would prohibit the use of credit scoring or other credit information for underwriting purposes for homeowners and automobile insurance.

The House Commerce, Jobs, and Economic Development Policy Committee held hearings on the bill Feb. 5 and Feb. 13. Davids, the committee chair, said that to increase the chances of something being done this session he worked with all sides and incorporated their input into a successful amendment adopted Feb. 13.

The amended bill would prohibit insurers from rejecting, canceling, or not renewing automobile or homeowners insurance in whole or in part on the basis of credit information.

Davids, who is an insurance agent, said that in a perfect world credit scoring would be prohibited in underwriting policies but the amended bill only improved current state law.

"As amended this is the toughest credit scoring bill in the country," he said.

Commerce Commissioner Jim Bernstein said Feb. 5 that credit scoring is different from a credit report. Credit scoring was developed by mortgage lenders to determine the risk of an applicant in defaulting on a loan.

Bernstein said that despite numerous attempts the commerce department has been unable to get the industry to disclose what exactly goes into determining a credit score because it is proprietary information. While



PHOTO BY TOM OLMSCHIED

Bob Johnson, left, representing the Insurance Federation of Minnesota, Doug Franzen, center, representing the National Association of Independent Insurers, and Dominic Sposeto, right, representing the Minnesota Independent Insurance Agents, testify for a compromise bill on credit scoring during a Feb. 13 hearing of the House Commerce, Jobs, and Economic Development Committee.

there may indeed be a statistical correlation between a person's credit score and their ability to drive, he said, such a correlation is "spurious" with no common sense connection between the two.

The amended bill would require insurers who use credit scoring in their underwriting to file the scoring methodology and information that supports the insurer's use of a credit score with the department.

It also prohibits credit scoring if the scoring incorporates gender, race, nationality, or

religion of an insured person or applicant.

Gary LaVasseur, a deputy commissioner of the department, said the use of credit scoring does not add to the overall costs of insurance premiums in Minnesota, but rather shifts costs from some payers to others.

"Some benefit, some will suffer substantially," he said. "It doesn't shift costs to those with traffic violations but to those with poor credit scores."

Bernstein said a recent issue of *Consumer Reports* indicates that around 40 percent of credit reports contain inaccuracies. He said it is therefore likely that many credit scores are also inaccurate.

John Lowe, who testified Feb. 5 in favor of the bill, said his son received a notice last November from his insurance company saying his automobile policy was being canceled. After some investigation they discovered there had been eight claims made on the policy in the past four years. Two of those were from others in the family, but six were unexplained.

Lowe said his son subsequently found another insurance company and around the same time qualified for a home loan. However, the new insurer dropped the automobile policy because his son received a poor credit score.

"His credit was good enough to qualify for a home loan, but not for auto insurance," Lowe said. "My son works hard. He is a responsible young man. But he can't afford higher insurance."


John Diehl, representing the Alliance of American Insurers, opposed the original bill but supports the amended version.

He said the industry is "closely looking" at the use of credit scoring. He said that data shows a correlation between a person's credit score with the number of claims that are filed. But he said that no underwriting data has a clear cause and effect correlation.

Doug Franzen, representing the National Association of Independent Insurers, supports the amended bill, saying that even though it was a "restrictive law" it did not make an absolute ban on the use of credit scoring in the industry.

"Politics is the art of the possible," Franzen said. "(The bill) places a significant burden on insurers, but for lack of a better phrase, it forces us to do the right thing."

Even though Rep. Tom Rukavina (DFL-Virginia) said he would support the bill, he thought the amendment conceded too much to the insurance industry.

The bill now goes to the House floor. 

Change in the air

Plan would call for the Metropolitan Airports Commission to become a state agency

By DAVID MAEDA

The Metropolitan Airports Commission (MAC), governing authority of the Minneapolis/St. Paul International Airport and its reliever airports, would become a state agency, under a proposal approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 8. The key goal of the bill (HF2568), sponsored by Rep. Tim Wilkin (R-Eagan), is legislative oversight of the commission.

"The governing structure of the MAC is now outdated. It's time for the Legislature to take a more active role in its oversight," Wilkin said. If signed into law, the bill would take effect July 1, 2003.

Wilkin's original proposal was to have the commission become part of the state Department of Transportation. But the bill was amended to make it a standalone agency.

Created by the Legislature in 1943, the commission receives no state appropriation and is funded through user fees. Jeff Hamiel, the commission's executive director, said that Northwest Airlines pays approximately 80 percent of those fees.

The MAC consists of 14 commissioners and a chairperson, appointed primarily by the governor and also the cities of Minneapolis and St. Paul.

The commission sets policies for the operation of its airports, including Minneapolis-St. Paul International, Airlake in Lakeville, Anoka County-Blaine, Crystal, Flying Cloud in Eden Prairie, Lake Elmo, and the St. Paul Downtown Airport. The system is the third busiest in the country.

Under the bill, the commission makeup would be the same, with the executive director appointed by the governor, subject to legislative approval.

Wilkin said the airport is a "first class facility" that services the entire Upper Midwest, but changes over the years, and particularly the events of Sept. 11, have made it time to take control away from "a small quasi-governmental body with no accountability."

Hamiel said that prior to Sept. 11 the commission was proposing a budget of \$102 million for 2002. After the terrorism attack the proposal was cut to \$85 million.

He said there have been "dramatic cuts to reduce the costs of operations" at the airport including cutting 81 part-time or temporary employees. In addition, he said more than 2,000 workers expecting to work on airport construction projects were not working on those projects.



PHOTO BY ANDREW VON BANK

A bill proposed in the House would make the Metropolitan Airports Commission, governing body of the Minneapolis/St. Paul International Airport, a state agency.

Roger Cohen, managing director of state government affairs for the Air Transport Association, a trade organization for the principal U.S. airlines, said the industry is still suffering the effects of Sept. 11 and as a result the nation's economy continues to suffer.

"As the airlines go, so goes the nation. We are the first domino," Cohen said.

He said more than 80,000 airline employees nationwide have been furloughed because passenger traffic is down 14 percent from last year, airplane capacity has decreased 13 percent from one year ago, and ticket prices are at their lowest level since 1992.

Other states have already taken action to help the airline industry, he said. For example, Hawaii waived landing fees to "send a message that Hawaii cherishes a healthy airlines industry."

Rep. Len Biernat (DFL-Mpls) asked Cohen if he was testifying for the state to provide concessions to the industry.

Cohen said that he was providing background information so lawmakers can make decisions based on the importance of the relationship between the industry and those

that govern airport operations.

"The relationship between a hub airport and a hub carrier is like a marriage. There are good days and there are bad days. But you work together to make things succeed as a partnership," he said.

MAC Chairman Charles Nichols said the commission's current structure allows it flexibility to address issues that may arise.

Nichols said he wasn't sure why the changes in the bill were being proposed. "I'm very concerned when an organization prostitutes Sept. 11 for their own purposes," he said.

Rep. Mike Osskopp (R-Lake City) took exception to Nichols comments saying it was "symbolic of the problem" that exists between the MAC and the industry. Osskopp alluded to comments from airport tenants that the commission has not been responding to their

concerns adequately.

Wilkin said he was sorry if Nichols thought the bill was "exploiting Sept. 11," but the airline industry is "in peril right now" and the bill was


meant to address those concerns.

Rep. Harry Mares (R-White Bear Lake) offered a successful amendment that would require the legislative auditor to conduct a financial audit of the commission. He said one of the goals and objectives of the bill was to gain "insight in the record keeping" and the amendment would further that goal.

Rep. Phyllis Kahn (DFL-Mpls) offered an unsuccessful amendment to Mares amendment that would have made the auditor's evaluation the entire bill. Kahn said before the Legislature makes any decision it should have that information.

Speaking in support of Kahn's amendment and against the bill, Rep. Mark Gleason (DFL-Richfield) said he was concerned about increasing the state budget by "\$100 million to \$200 million." He is also concerned that making the MAC a state agency would mean even less local control over issues such as noise mitigation.

No documents reflecting the fiscal impact of the bill were provided at the meeting.

The bill now goes to the House State Government Finance Committee. 

The best deal

Health care providers seek aid in negotiating with insurance companies, but some say consumers would be neglected

By SARAH MCKENZIE

A health insurance company would be required to disclose terms of a contract with a health care providers, under a bill the House Health and Human Services Policy Committee approved Feb. 12.

Rep. Lynda Boudreau (R-Faribault), sponsor of HF2925, said the bill is the product of concerns raised by providers, who say they lack the power to negotiate with the insurance companies.

The bill comes on the heels of hearings held by the committee around the state last fall to address rising health care costs.

Supporters say the bill would arm providers with more information so they could better determine the best insurance plans for their needs. However, opponents argued that the bill would illegally interfere with the companies' rights to negotiate with the providers.

Some also criticized the bill for failing to address consumers or employers directly, both parties with an enormous stake in the contractual agreements made between insurance companies and health care providers.

"This legislation would perpetuate the ongoing battle between the providers and health plans at the expense of the consumers," said Carolyn Jones, representing the Minnesota Chamber of Commerce.

Provisions of the bill include:

- requiring claims administrators and insurance companies to respond to provider requests for prior authorization of health care services without "unreasonable delay;"
- mandating that insurance companies give a provider a copy of a contract and allow them to review it for 90 days before they agree to sign it;
- requiring health plan companies to give providers 90 days' notice of any proposed changes to the contract; and
- making health plan companies and other third parties give providers prompt notice if a claim is going to be delayed.

The committee also adopted an amendment that directs the commissioner of health to report to the Legislature by December 2002 on

how to best provide consumers with information about the costs of treatments from a particular provider.

While the potential cost savings of the regulations outlined in the bill are unclear, providers said it would make them more equal partners with the insurance companies at the bargaining table.

"If you're talking about cost-sharing, then you have to share information with consumers," said Liz Quam-Berne, executive vice president of Advocates for Marketplace Options for Mainstreet, a nonprofit organization made up of provider and business representatives.

Providers don't have the means to negotiate fair contracts, Quam-Berne said, leaving some feeling they have signed off on

dentists since 1993.

Proponents of the contract bill further said providers often face unreasonable delays in reimbursement even when the services have been authorized.

Rep. Jim Abeler (R-Anoka) said the providers have been squeezed financially over the past decade, seeing employee costs go up as reimbursement rates have gone down.

Abeler said he didn't understand why the insurance companies were apparently reneging on commitments to pay claims when that's the business they had agreed to go into.

Rep. Mary Ellen Otremba (DFL-Long Prairie) said she has heard from constituents who had been authorized for a particular treatment or procedure only to find out that the insurance plan had changed the codes and decided against covering it.

Meanwhile, opponents of the bill said it fails to drive down the cost of health care for employers and consumers.

Some even speculated that it would add administrative expenses.

Jan Lysen, who works on contracts at Blue Cross Blue Shield of Minnesota, said the bill

***"There are two sides of the coin;
we have to look at cost and quality."***

— Rep. Bill Haas

"involuntary servitude" to the insurance companies.

Richard Davenport, representing the Minnesota Medical Group Association, said smaller health care providers, in particular, have a hard time securing fair commercial contracts.

"It's economic suicide for the provider to say 'no' to these contracts," Davenport said.

Dr. Kim Hart, a dentist in Farmington and a member of the Minnesota Dental Association, said dentists are often saddled with costs that aren't clearly outlined up front by the health insurance companies.

As a result, she said few dental school graduates in Minnesota, many of whom leave school heavily in debt, want to stay in the state and be burdened with the added costs.

Minnesota leads the nation in a declining per-capita rate of dentists, according to the American Dental Association. The state has seen a nearly 8 percent drop in the number of

would require her department to increase its staff size dramatically to keep up with information requests.


"This just affects the supplier and provider," said Duane Benson, representing the Minnesota Business Partnership, who predicted that employers would see higher costs.

On a similar note, Rep. Bill Haas (R-Champlin) said the bill neglects to address all of the cost drivers of health care, particularly those passed on to consumers and employers.

"There are two sides of the coin," Haas said. "We have to look at cost and quality."

Michael Scandrett, representing the Minnesota Council on Health Plans, also voiced opposition to the bill.

"This would increase costs and interfere with the marketplace," he said.

The bill now moves to the House Commerce, Jobs, and Economic Development Policy Committee. 

Not this year

Plan to increase competition for local telephone service is put on hold by a House committee

BY THERESA STAHL

Legislators have pulled the plug on two bills that would rewrite the rules for local telephone service, essentially giving smaller companies a chance for business in the residential market.

"I'm not comfortable pursuing legislation with having no clue of the unintended consequences," said Rep. Ken Wolf (R-Burnsville), chair of the House Regulated Industries Committee, after hearing testimony at the committee's Feb. 11 meeting.

The legislation would force local market dominators — Qwest in Minnesota — to break into smaller affiliates. The intent is to create a competitive residential marketplace, giving choice to consumers, and ultimately driving down prices.

HF2778 and HF2919, sponsored by Wolf and Rep. Loren Jennings (DFL-Harris) respectively, would require the structural separation of a carrier dominating the residential market, as well as establish penalties for local competition violations.

For example, a carrier could be fined \$100 to \$100,000 for each day it impedes the development of competition by "refusing or delaying interconnections or providing inferior connections to another telecommunications service provider," Wolf's bill reads.

Both bills would also establish quality service standards and a list of prohibited practices for all providers.

Wolf's bill would create a telecommunications "master," an administrative law judge who would be responsible for handling competition complaints and service issues.

Jennings' bill would require a certain standard of customer service and would require service providers to keep customer information confidential. Currently there are no restrictions in state law as to what telephone companies can do with customer information, such as who a person is calling and how often.

Anthony Mendoza, deputy commissioner of the Department of Commerce, said the

department is "generally supportive of both bills."

Teresa Lynch, representing AT&T, was in favor of the legislation. Lynch said that most Minnesota residents couldn't change their local service provider if they wanted to.

"These are competitors that want to give your constituents an option," she said, referring to proponents of the bills.

Presently, Qwest is the local service provider for about one-third of all the telephone lines in the state, according to the nonpartisan House Research Department. Lynch said AT&T wants to enter the local service market, but residents cannot switch providers as they can with long distance service.

Rep. Bob Gunther (R-Fairmont) asked why the companies wanted residential customers. "Isn't all of the money in businesses?"

"The residential customer is very attractive when you consider high speed access," additional phone lines, and other services, Lynch replied.

Mark Joyce, a representative for MCI WorldCom, also testified in support of the legislation.

"If we would see better wholesale service, then companies would be competing for service and prices will be driven down," Joyce said.

But rates in the state aren't set by Qwest alone, said John Stanoch, vice president of Qwest Minnesota.

The Public Utilities Commission sets the rate for standard phone service because Qwest is a monopoly. However, there is little regulation of extra phone services, such as call waiting and caller identification.

Stanoch opposed both bills, saying "the provisions of the legislation goes way beyond structural separation."

Joanne Johnson, external affairs specialist for Frontier Communications, said her company is OK with the

idea of a telecommunications master, but she "always thought structural separation was an overzealous operation."

"We don't see the necessity for this legislation in either form," Johnson said. "We are very good citizens ... we like being part of the social fabric of communities."

Mitch Wilk, the former chair of the California Public Utilities Commission, presented a different perspective. He said the proposed telephone structural separation is parallel to California's energy deregulation plan, which failed and led to complete loss of energy in parts of the state.

"The way the scheme was developed is why it blew up," he said. "It was irreversible."

Wilk said the bill would ultimately raise rates, and government policy would be like drawing "artificial lines in the sand."

"So what happens if you're wrong? It will be, in my opinion, impossible to correct it."



PHOTO BY ANDREW VON BANK

Teresa Lynch, who represents AT&T, testifies before the House Regulated Industries Committee Feb. 11 in support of two telecommunications bills.



Monday, February 11

HF3126—Evans (DFL)

Education Policy

Diesel fuel emissions notice provided to local school districts and parents.

HF3127—Mares (R)

Governmental Operations & Veterans Affairs Policy

Pension fund facilities lease authorized to deferred compensation service providers.

HF3128—Hackbarth (R)

Environment & Natural Resources Policy

Big game hunting ammunition provision modified.

HF3129—Holsten (R)

Environment & Natural Resources Policy

Individual sewage treatment classification clarified, and waste tire grant and loan program abolished.

HF3130—Holberg (R)

Health & Human Services Policy

Family planning grant funds abortion services use prohibited, organizations receiving funds prohibited from engaging in certain activities, and audits required.

HF3131—Lenczewski (DFL)

Environment & Natural Resources Policy

Hennepin County supplemental retirement plan modified to allow county administrator to approve certain participant requests.

HF3132—Lenczewski (DFL)

Environment & Natural Resources Policy

Phosphorous lawn fertilizer sale and use limitations provided, and money appropriated.

HF3133—Lipman (R)

Governmental Operations & Veterans Affairs Policy

State procurement competitive bidding for building and construction contract references codified.

HF3134—Erickson (R)

Environment & Natural Resources Finance

Green Lake floodgate project grant provided, bonds issued, and money appropriated.

HF3135—Clark, J. (R)

Transportation Policy

Highways; three state highways transferred and one state highway vacated.

HF3136—Daggett (R)

Environment & Natural Resources Finance

Local natural and scenic areas and regional parks funding provided, bonds issued, and money appropriated.

HF3137—Kuisle (R)

Transportation Policy

High-speed rail transportation provided.

HF3138—Swenson (R)

Civil Law

Family farm division provided in event of marriage dissolution.

HF3139—Dawkins (DFL)

Health & Human Services Policy

Medical assistance spenddown standard increased for the aged, blind, and disabled.

HF3140—Murphy (DFL)

Local Government & Metropolitan Affairs

Local government aid city revenue base increased for certain cities.

HF3141—Mullery (DFL)

Taxes

Minneapolis library and planetarium construction materials sales tax exemption provided.

HF3142—Swenson (R)

Agriculture Policy

Food rules federal uniformity provided.

HF3143—Sertich (DFL)

Commerce, Jobs & Economic Development

Economic development obsolete provisions eliminated, world trade center use modified, urban initiative program modified, wastewater and drinking water funding coordinated, and bonding authority increased.

HF3144—Mariani (DFL)

Environment & Natural Resources Policy

Emissions limitations established for electric generating facilities, and emissions reductions evaluated and implemented.

HF3145—Anderson, B. (R)

Transportation Policy

Trunk highway corridor-protection demonstration project established, report required, and money appropriated.

HF3146—Stanek (R)

Governmental Operations & Veterans Affairs Policy

Scratch-off lottery game provided to fund anti-terrorism initiatives.

HF3147—Clark, K. (DFL)

Commerce, Jobs & Economic Development Policy

Youth employment provisions modified for certain construction projects paid for with grant funds.

HF3148—Rhodes (R)

Health & Human Services Policy

Speech-language pathologist and audiologist registration requirements modified.

HF3149—Sertich (DFL)

Local Government & Metropolitan Affairs

St. Louis County civil service system repealed, and personnel administration system established.

HF3150—Seagren (R)

K-12 Education Finance

Kindergarten through grade 12 funding provisions referendum equalization levy provisions modified.

HF3151—Gunther (R)

Commerce, Jobs & Economic Development Policy

State departments reorganized and restructured, Department of Workforce and Economic Development created, Department of Economic Security and Department of Trade and Economic Development eliminated, and duties transferred.

HF3152—Evans (DFL)

K-12 Education Finance

Special education cross-subsidy revenue levy authorized for unfunded special education costs.

HF3153—Wasiluk (DFL)

K-12 Education Finance

District referendum revenue allowance reduction process modified.

HF3154—Holsten (R)

Governmental Operations & Veterans Affairs Policy

Gaming machines provided, and horse racing purse payments provided.

HF3155—Fuller (R)

Higher Education Finance

Bemidji State University improvements funded, bonds issued, and money appropriated.

HF3156—Fuller (R)

Higher Education Finance

Bemidji; headwaters regional science center construction provided, bonds issued, and money appropriated.

HF3157—Ness (R)

Agriculture & Rural Development Finance

Environmental, natural resources, and agricultural funding and reductions provided; programs established and modified; activities and practices regulated; fees provided; and money appropriated.

HF3158—Gunther (R)

Commerce, Jobs & Economic Development Policy

Greater Minnesota redevelopment program established.

HF3159—Rifenberg (R)

Taxes

Income tax; commissioner of revenue authority to terminate income tax reciprocity eliminated.

HF3160—Mares (R)

Governmental Operations & Veterans Affairs Policy

Local police and paid firefighter pension plan provisions clarified and obsolete provisions repealed.

HF3161—Mares (R)

Governmental Operations & Veterans Affairs Policy

Social security coverage provisions recodified for public employees.

HF3162—Marquart (DFL)

Commerce, Jobs & Economic Development Policy

Petroleum products technical specifications modified.

HF3163—Lipman (R)

Civil Law

Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references.

HF3164—Seifert (R)

Governmental Operations & Veterans Affairs Policy

Teacher early retirement incentive provided.

HF3165—Murphy (DFL)

Governmental Operations & Veterans Affairs Policy

Teachers Retirement Association administrative and technical provisions modified, survivor benefits enhanced, dependent child benefits expanded, and qualified part-time teacher program modified.

HF3166—Abeler (R)
Health & Human Services Policy
Human services continuing care programs technical provisions modified.

HF3167—Pugh (DFL)
Jobs & Economic Development Finance
South St. Paul Port Crosby Mississippi riverfront park funding provided, bonds issued, and money appropriated.

HF3168—Fuller (R)
Crime Prevention
DUI mandatory sentencing clarified, sex offender treatment co-payment provided, and incarcerated deaths record provisions modified.

HF3169—Vandever (R)
Local Government & Metropolitan Affairs
Housing; municipal low-income housing authority specified.

HF3170—McElroy (R)
K-12 Education Finance
School district building lease levy use expanded.

HF3171—Sykora (R)
K-12 Education Finance
Full-day kindergarten study required.

HF3172—Sykora (R)
K-12 Education Finance
Referendum revenue cap inflationary adjustment provided.

HF3173—Gunther (R)
Jobs & Economic Development Finance
Madelia business incubator building improvements grant provided, bonds issued, and money appropriated.

HF3174—Wasiluk (DFL)
Governmental Operations & Veterans Affairs Policy
Gambling lawful purpose expenditures modified.

HF3175—Wasiluk (DFL)
Higher Education Finance
Student rental of materials policy requested of the University of Minnesota and the Minnesota State Colleges and Universities.

HF3176—Hilstrom (DFL)
Crime Prevention
Insurance; use of “runners” to procure clients prohibited in certain cases involving motor vehicle insurance, and felony penalty provided.

HF3177—Hilstrom (DFL)
Education Policy
Single-member school board election districts established based on population.

HF3178—Slawik (DFL)
Family & Early Childhood Education Finance
Child tax credit established.

HF3179—Slawik (DFL)
Taxes
At-home infant care program annual income clarified.

HF3180—Koskinen (DFL)
Health & Human Services Policy
Medical assistance income eligibility modified, and modified sliding scale established for children in MinnesotaCare.

HF3181—Nornes (R)
Health & Human Services Policy
Children’s mental health subcommittee to the state advisory council on mental health membership modified.

HF3182—Nornes (R)
Health & Human Services Finance
Fergus Falls; Minnesota veterans home dementia/wander wing addition funding provided, bonds issued, and money appropriated.

HF3183—Johnson, R. (DFL)
Agriculture Policy
Pesticide application provisions modified.

HF3184—Mulder (R)
K-12 Education Finance
Facility grant provided to consolidated district representing Independent School District Nos. 411, 402, 403, 404, 418, 584, and 409; bonds issued, and money appropriated.

HF3185—Skoe (DFL)
Jobs & Economic Development Finance
Red Lake Indian reservation economic development facility construction funding provided, bonds issued, and money appropriated.

HF3186—Skoe (DFL)
Taxes
Agricultural property tax class rate adjusted, and market value maximum and phase-out provisions modified.

HF3187—Paulsen (R)
Commerce, Jobs & Economic Development Policy
Eden Prairie additional on-sale liquor licenses authorized.

HF3188—Harder (R)
K-12 Education Finance
Independent School District No. 836, Butterfield, fund transfer authorized.

HF3189—Workman (R)
Transportation Policy
Street-sweeping vehicles defined as special mobile equipment for registration purposes.

HF3190—Stanek (R)
Civil Law
Juvenile courts required to send juvenile petition data to the statewide supervision system.

HF3191—Abrams (R)
Taxes
Taxation policy and administrative provisions modified.

HF3192—Bakk (DFL)
Local Government & Metropolitan Affairs
Cook County road and bridge levy expenditure authorized.

HF3193—McElroy (R)
Health & Human Services Policy
Dentistry practice act violations reporting to the board of dentistry required, and complainant immunity provided.

HF3194—McElroy (R)
Commerce, Jobs & Economic Development Policy
Economic development and jobs programs and appropriations modified, funds transferred, and programs eliminated.

HF3195—Pawlenty (R)
Taxes
Income tax credit provided for land donated to the state for conservation purposes.

HF3196—Mares (R)
Governmental Operations & Veterans Affairs Policy
State procurement law ethical provisions clarified, state archaeology rulemaking authorized, obsolete technology authority repealed, and Citizens Council on Voyageurs National Park statutory authority repealed.

HF3197—Peterson (DFL)
Agriculture Policy
Biodiesel fuel oil defined, and production incentives provided.

HF3198—Peterson (DFL)
Family & Early Childhood Education Finance
Childcare assistance eligibility clarified relating to self-employed farmers.

HF3199—Kuisle (R)
Transportation Policy
Transportation provisions modified relating to closing highway right-of-way to all-terrain vehicles, motor carrier regulatory provisions, and budget reduction of construction district 1.

HF3200—Goodno (R)
Health & Human Services Policy
Dentist and dental hygienist guest licenses and dental assistant guest registration established.

HF3201—Peterson (DFL)
Agriculture Policy
Biodiesel fuel oil defined, and fuel tax reduction provided for the use of biodiesel fuel blends.

HF3202—Smith (R)
Local Government & Metropolitan Affairs
Delano Public Utilities Commission increased to five members.

HF3203—Kuisle (R)
Transportation Policy
Vehicle and bicycle registration provisions modified, dealer transactions regulated, motor carrier fuel tax provisions reorganized, snowplow driver license exemption modified, and driver’s license for emancipated minors authorized.

HF3204—Clark, J. (R)
Transportation Policy
Transportation public works contracts regulated.

HF3205—Clark, J. (R)
Transportation Policy
Public works contracts regulated.

HF3206—McElroy (R)
Commerce, Jobs & Economic Development Policy
Health commissioner responsibilities eliminated in certain instances and penalty limits for certain violations increased.

HF3207—Kubly (DFL)
Agriculture Policy
Feedlot prohibition made permanent relating to open-air and other swine waste lagoons.

HF3208—Schumacher (DFL)
Transportation Policy
Seasonal, agriculture-related business sign placement in highway right-of-way authorized.

HF3209—Holsten (R)
Environment & Natural Resources Policy
Petrofund contractor and consultant provisions modified and application requirements for certain petrofund reimbursements modified.

HF3210—Erickson (R)
Environment & Natural Resources Finance
White deer taking prohibited.

HF3211—Erickson (R)
Education Policy
Third and fifth grade comprehensive assessment system tests comparison provided.

<p>HF3212—Goodno (R) Environment & Natural Resources Finance Red River basin water management funding provided, and money appropriated.</p>	<p>HF3223—Harder (R) Health & Human Services Policy Out-of-state facilities for children with severe emotional disturbance certification plan required.</p>	<p>HF3235—Murphy (DFL) Governmental Operations & Veterans Affairs Policy Volunteer firefighter statewide lump sum retirement plan task force created.</p>	<p>HF3247—Johnson, J. (R) K-12 Education Finance Kindergarten through grade 12 unneeded mandates eliminated.</p>
<p>HF3213—Goodno (R) Health & Human Services Policy Mental health services coverage inconsistencies corrected for services under provided health plans.</p>	<p>HF3224—Abrams (R) Local Government & Metropolitan Affairs Hennepin County Health and Medical center contracting authorized with public or private organizations..</p>	<p>HF3236—Jacobson (R) Health & Human Services Policy Human services continuing care programs modified.</p>	<p>HF3248—Stang (R) Commerce, Jobs & Economic Development Minimum wage; companionship services definitions modified.</p>
<p>HF3214—Johnson, J. (R) Governmental Operations & Veterans Affairs Policy Plymouth Volunteer Firefighter's Relief Association ancillary benefits made subject to general law.</p>	<p>HF3225—Sertich (DFL) Jobs & Economic Development Finance Ironworld capital project bonds issued and money appropriated.</p>	<p>HF3237—Evans (DFL) K-12 Education Finance School building grant funding authorized, program criteria modified, bonds issued, and money appropriated.</p>	<p>HF3249—Hilty (DFL) Health & Human Services Policy Alcohol and drug counselor licensing written case presentation and oral examination component waived for specified individuals.</p>
<p>HF3215—Abeler (R) Health & Human Services Policy Human services exclusions from licensure, due process, background study requirements, and training clarified; fair hearing requirements amended; and error provision relating to therapeutic conduct to vulnerable adults clarified.</p>	<p>HF3226—Workman (R) Transportation Policy Motorcycles authorized to run red light under certain circumstances.</p>	<p>HF3238—Johnson, J. (R) Governmental Operations & Veterans Affairs Policy Guaranteed energy savings contracts authorized.</p>	<p>HF3250—Wagenius (DFL) Taxes Bakery products including bread, and fruit products, specifically exempted from the prepared food sales tax.</p>
<p>HF3216—Dehler (R) K-12 Education Finance School board approval of additional operating revenue permitted.</p>	<p>HF3227—Workman (R) Crime Prevention Return of seized property required if criminal charges are not filed within 30 days.</p>	<p>HF3239—Otremba (DFL) Health & Human Services Policy Children's preventive care quality standards required.</p>	<p>HF3251—Otremba (DFL) Agriculture Policy Grain inspection powers modified, interstate cooperation provided, and grain buyer definition clarified.</p>
<p>HF3217—Larson (DFL) Governmental Operations & Veterans Affairs Policy Gambling lawful purpose expenditures modified.</p>	<p>HF3228—Osthoff (DFL) Environment & Natural Resources Finance Metro greenways and natural areas program funding provided, bonds issued, and money appropriated.</p>	<p>HF3240—Clark, J. (R) Governmental Operations & Veterans Affairs Policy Electronic voting authorized for cooperatives.</p>	<p>HF3252—Harder (R) Regulated Industries Crop residue biomass electricity incentives provided.</p>
<p>HF3218—Molnau (R) Governmental Operations & Veterans Affairs Policy Design-build contracts and pre-selection construction contracts provided.</p>	<p>HF3229—Holsten (R) Taxes Income tax credit provided for land donated for conservation purposes, and property tax classification provided for certain unimproved land bordering a lake.</p>	<p>HF3241—Westrom (R) Agriculture Policy Livestock development program established.</p>	<p>HF3253—Davids (R) Environment & Natural Resources Finance Fillmore County farm acquisition provided, bonds issued, and money appropriated.</p>
<p>HF3219—Seagren (R) K-12 Education Finance Federal education program annual appropriations required.</p>	<p>HF3230—Huntley (DFL) Health & Human Services Policy Medical assistance eligibility clarified for children under the age of 19.</p>	<p>HF3242—Bernardy (DFL) K-12 Education Finance School district swimming pool operational costs levy authorized.</p>	<p>HF3254—Harder (R) K-12 Education Finance Independent School District No. 2898, Westbrook-Walnut Grove, disabled access levy extended.</p>
<p>HF3220—Buesgens (R) Local Government & Metropolitan Affairs Metropolitan local comprehensive plan housing requirements modified.</p>	<p>HF3231—Rhodes (R) Crime Prevention DWI test provisions modified, electronic forms permitted, and expedited approval of DWI testing devices authorized.</p>	<p>HF3243—Bernardy (DFL) Taxes Local government health care insurance premium levies not subjected to levy limits.</p>	<p>HF3255—Tingelstad (R) Governmental Operations & Veterans Affairs Policy Military service credit purchase payment amounts in the Minnesota state retirement system modified.</p>
<p>HF3221—Eastlund (R) Governmental Operations & Veterans Affairs Policy Minnesota Code of Military Justice revised.</p>	<p>HF3232—Clark, J. (R) Transportation Finance Minnesota transit operating and capital assistance funding provided, bonds issued, and money appropriated.</p>	<p>HF3244—Kahn (DFL) Commerce, Jobs & Economic Development Cuba; Congress memorialized by resolution to enact legislation to remove trade, financial, and travel restrictions relating to Cuba.</p>	<p>HF3256—Mullery (DFL) Civil Law Crane operation by individuals who do not possess crane operator certificates prohibited and penalties provided.</p>
<p>HF3222—Ruth (R) Commerce, Jobs & Economic Development Property insurance; issuing or requiring excess property insurance prohibited, and real estate appraisals regulated.</p>	<p>HF3233—Haas (R) Governmental Operations & Veterans Affairs Policy Chartered performance organizations within state agencies authorized.</p>	<p>HF3245—Boudreau (R) Health & Human Services Policy Health care programs technical provisions modified.</p>	<p>HF3257—Davids (R) Commerce, Jobs & Economic Development Policy Financial institution detached facilities, charges and fees, and mortgage prepayment penalties regulated.</p>
	<p>HF3234—Clark, K. (DFL) Health & Human Services Policy Ovarian cancer surveillance testing health insurance coverage required.</p>	<p>HF3246—Goodwin (DFL) Governmental Operations & Veterans Affairs Policy State government consultant use limited, savings added to the general education basic formula allowance, and money appropriated.</p>	

<p>HF3258—Goodno (R) Health & Human Services Policy County agencies not required to provide income support or cash assistance when specified state programs fail to do so.</p>	<p>HF3270—Krinkie (R) State Government Finance Department of Employee Relations abolished and duties transferred.</p>	<p>HF3282—Jennings (DFL) Local Government & Metropolitan Affairs Cities authorized to establish cartways.</p>	<p>HF3293—Swenson (R) Transportation Finance Minnesota Valley regional rail authority freight rail improvement funding provided, and money appropriated.</p>
<p>HF3259—Opatz (DFL) Higher Education Finance Tuition reciprocity agreement data collection required.</p>	<p>HF3271—Solberg (DFL) Jobs & Economic Development Finance Nashauk stabilization pond facility wastewater diversion project funded, bonds issued, and money appropriated.</p>	<p>HF3283—Mahoney (DFL) Governmental Operations & Veterans Affairs Policy Election judges not affiliated with a major political party appointment authorized.</p>	<p>HF3294—Seifert (R) Governmental Operations & Veterans Affairs Policy Public pension prior service credit purchase authorization expiration date extended.</p>
<p>HF3260—Fuller (R) Environment & Natural Resources Finance Paul Bunyan state trail construction funding provided, bonds issued, and money appropriated.</p>	<p>HF3272—Mares (R) Governmental Operations & Veterans Affairs Policy Retirement provisions reorganized and revised.</p>	<p>HF3284—Goodno (R) Health & Human Services Finance Terrorism preparedness funding provided, and money appropriated.</p>	<p>HF3295—Abeler (R) K-12 Education Finance Health and safety program broadened to include school safety costs.</p>
<p>HF3261—Sertich (DFL) Jobs & Economic Development Finance Central range economic development grant provided, bonds issued, and money appropriated.</p>	<p>HF3273—Blaine (R) Transportation Policy North Star commuter rail corridor extension study matching funds provided, and money appropriated.</p>	<p>HF3285—Abrams (R) Taxes Sales tax exemption provided for delivery or distribution charges for printed materials.</p>	<p>HF3296—Thompson (DFL) Governmental Operations & Veterans Affairs Policy Social security administrative duties shifted from department of employee relations to the public employees retirement association and employee dependent data classified.</p>
<p>HF3262—Fuller (R) Crime Prevention DWI vehicle forfeiture standards and procedures clarified.</p>	<p>HF3274—Blaine (R) Governmental Operations & Veterans Affairs Policy Military service; protections provided under federal law for persons called or ordered to active service.</p>	<p>HF3286—Leppik (R) Higher Education Finance Higher education programs provided, and previous appropriations reduced.</p>	<p>HF3297—Rhodes (R) K-12 Education Finance School districts authorized to participate in the alternative facilities program.</p>
<p>HF3263—Holberg (R) Civil Law Sexual psychopath or sexually dangerous person civil commitment; commissioner data access authorized for purposes of determination.</p>	<p>HF3275—Gerlach (R) Environment & Natural Resources Policy Citizen water quality monitoring encouraged.</p>	<p>HF3287—Bakk (DFL) Environment & Natural Resources Policy St. Louis County school trust land bordering public water public sale authorized.</p>	<p>HF3298—Swenson (R) Agriculture Policy Agricultural chemical response and reimbursement law provisions changed.</p>
<p>HF3264—Carlson (DFL) Education Policy School district employee early retirement incentive provided.</p>	<p>HF3276—Boudreau (R) Health & Human Services Finance Tribal health professionals established as medical assistance providers, and certain health services reimbursed.</p>	<p>HF3288—Abrams (R) Local Government & Metropolitan Affairs Metropolitan area transit and paratransit capital expenditures annual financing provided.</p>	<p>HF3299—Haas (R) Governmental Operations & Veterans Affairs Policy Political party independent campaign expenditures prohibited as a condition of receiving public subsidy.</p>
<p>HF3265—Davnie (DFL) Transportation Policy Eminent domain; appraisal fee reimbursement limit increased.</p>	<p>HF3277—Dorman (R) Taxes Food processing plant construction materials and equipment sales tax exemption provided.</p>	<p>HF3289—Wagenius (DFL) Taxes Low-income housing owned by a qualified nonprofit agency exempted from property taxation, construction and rehabilitation of low-income housing exempted from the sales tax, and payments in lieu of taxes provided.</p>	<p>HF3300—Kielkucki (R) Taxes Bakery products including bread specifically exempted from the prepared food sales tax.</p>
<p>HF3266—Cassell (R) Environment & Natural Resources Finance Native prairie bank easement acquisition funding provided, state bonds issued, and money appropriated.</p>	<p>HF3278—Walker (DFL) Civil Law Human rights sanctions added and standing to seek sanctions created.</p>	<p>HF3290—Abeler (R) Health & Human Services Policy Colorectal cancer awareness promoted by resolution.</p>	<p>HF3301—Ness (R) Regulated Industries Minnesota broadband access availability act adopted, and money appropriated.</p>
<p>HF3267—Workman (R) Transportation Policy Titling standards for motorcycles with new engines and similarly situated automobiles required to be the same.</p>	<p>HF3279—Dibble (DFL) Local Government & Metropolitan Affairs Energy forward pricing mechanism use by Metropolitan Council authorized.</p>	<p>HF3291—Nornes (R) Health & Human Services Policy Health care resident reimbursement classifications modified.</p>	<p>HF3302—Stanek (R) Transportation Finance Trunk Highway 610 four-lane freeway segment construction funding provided, bonds issued, and money appropriated.</p>
<p>HF3268—Workman (R) Crime Prevention Right of way failure to yield resulting in injury or death criminal penalties imposed.</p>	<p>HF3280—Kelliher (DFL) Environment & Natural Resources Finance Underutilized property cleanup for use as publicly owned parks and natural areas funding provided, bonds issued, and money appropriated.</p>	<p>HF3292—Winter (DFL) Commerce, Jobs & Economic Development Telemarketing; telephone sales calls regulated, registration of telephone solicitors provided, telephone solicitation educational efforts provided, and money appropriated.</p>	<p>HF3303—Tuma (R) Crime Prevention Crime Victim Services Center reorganized as a division of the public safety department, and director authorized to administer grants.</p>
<p>HF3269—Murphy (DFL) Local Government & Metropolitan Affairs St. Louis County sale of state-owned real property authorized.</p>	<p>HF3281—Abrams (R) Taxes Franchise taxes cross-references corrected.</p>		

HF3304—Tuma (R)**Crime Prevention**

Vulnerable adults criminal abuse, financial exploitation, and sexual conduct crime definitions expanded, and penalties prescribed.

Wednesday, February 13**HF3305—Rukavina (DFL)****Transportation Policy**

Commercial motor vehicle traffic regulations modified, weight restrictions authority transferred to counties, fines reallocated, and previous appropriation reduced.

HF3306—Biernat (DFL)**Jobs & Economic****Development Finance**

Minneapolis Lowry Avenue corridor improvements funded, bonds issued, and money appropriated.

HF3307—Olson (R)**Health & Human Services Policy**

Plumbing and sewage requirements established.

HF3308—Cassell (R)**Environment &****Natural Resources Finance**

Solid waste capital assistance grants program funding provided, bonds issued, and money appropriated.

HF3309—Cassell (R)**Health & Human Services Policy**

Nursing home licensed bed lay away authorized during moratorium projects.

HF3310—Bradley (R)**Health & Human Services Policy**

Prescription drug medical assistance coverage requirements modified.

HF3311—Hausman (DFL)**Jobs & Economic****Development Finance**

St. Paul; engineering study and pre-design of the historic connection of the Capitol through downtown St. Paul to the Mississippi River funding provided, bonds issued, and money appropriated.

HF3312—Abeler (R)**K-12 Education Finance**

Equalized aid and levy created to pay for portion of school district unfunded special education costs.

HF3313—Bakk (DFL)**Environment & Natural Resources Policy**

St. Louis County tax-forfeited land sales authorized.

HF3314—Seifert (R)**Governmental Operations & Veterans Affairs Policy**

State agencies and political subdivisions required to investigate use of existing buildings before proposing new construction, and availability of low-cost land and buildings publicized.

HF3315—Lieder (DFL)**Health & Human Services Finance**

Norman; nursing facility rate increases provided to offset county assessment, and money appropriated.

HF3316—Lieder (DFL)**Transportation Finance**

Local bridge replacement funding provided, bonds issued, and money appropriated.

HF3317—Seagren (R)**Education Policy**

Education obsolete provisions amended and repealed.

HF3318—Anderson, B. (R)**Transportation Finance**

University of Minnesota personal rapid transit system funding provided, and money appropriated.

HF3319—Boudreau (R)**K-12 Education Finance**

Minnesota state academy tuition provisions modified.

HF3320—Olson (R)**Transportation Finance**

University of Minnesota personal rapid transit system funding provided, bonds issued, and money appropriated.

HF3321—Carlson (DFL)**Higher Education Finance**

Higher education budget priorities and biennial budget calculations provided.

HF3322—Johnson, J. (R)**Education Policy**

Parental notification of student surveys that may reveal personal information required.

HF3323—Johnson, J. (R)**Education Policy**

Statewide K-12 testing of academic knowledge ensured, and not students' values, attitudes or beliefs.

HF3324—Clark, K. (DFL)**Local Government & Metropolitan Affairs**

Accessory dwelling units definitions provided, and separate permit totals reporting required.

HF3325—Rifenberg (R)**Taxes**

Agricultural mortgage registry tax provision modified.

HF3326—Wagenius (DFL)**Environment & Natural Resources Policy**

Environmental sustainability policy and green government council established, and green standards developed for state product purchasing.

HF3327—Jennings (DFL)**Environment & Natural Resources Finance**

Rush City Correctional Facility adjacent lands acquisition provided for wetland mitigation and future wildlife management, bonds issued, and money provided.

HF3328—Molnau (R)**Transportation Policy**

Organ donors; organ donation education required as part of driver education programs.

HF3329—Lenczewski (DFL)**Jobs & Economic Development Finance**

Tax Increment Financing grant funds transferred to the housing finance agency for use in the economic development and housing challenge program, and money appropriated.

HF3330—Bakk (DFL)**Environment & Natural Resources Policy**

Northern counties land use coordinating board authorized to promote cooperative efforts among county, state, federal, Canadian, and local units of government regarding land use management issues.

HF3331—Anderson, I. (DFL)**State Government Finance**

World War II veterans memorial completion funding provided, Capitol mall information kiosk constructed, and money appropriated.

HF3332—Anderson, B. (R)**Governmental Operations & Veterans Affairs Policy**

Military service credit purchase sunset repealed.

HF3333—Wolf (R)**Education Policy**

Teacher contract; January 15 deadline date and penalty repealed.

HF3334—Mahoney (DFL)**Jobs & Economic Development Finance**

Family homeless prevention and assistance program funding provided, and money appropriated.

HF3335—Seagren (R)**K-12 Education Finance**

Charter schools authorized to purchase and own school facilities.

HF3336—Carlson (DFL)**Transportation Finance**

State Highway 100 utilities relocation and other infrastructure costs funding provided to local cities, bonds issued, and money appropriated.

HF3337—Folliard (DFL)**Health & Human Services Policy**

Minnesota Family Investment Plan assistance extended to a minor child after the 60-month time limit.

HF3338—Walz (R)**Health & Human Services Finance**

Semi-independent living services allocation increased.

HF3339—Winter (DFL)**Commerce, Jobs &****Economic Development Policy**

Telemarketing; telephone sales calls regulated, solicitor registration required, no call list maintained, and money appropriated.

HF3340—Holsten (R)**Regulated Industries**

Prevailing wage required on specified electric energy generating plant or other energy facilities granted special tax treatment.

HF3341—Entenza (DFL)**Commerce, Jobs &****Economic Development Policy**

School employees authorized to collect unemployment benefits between academic years or terms under specific circumstances.

HF3342—Gerlach (R)**Commerce, Jobs &****Economic Development Policy**

Discrimination against older homes prohibited in manufactured home park lots.

HF3343—Bakk (DFL)**Taxes**

Ely sales and use tax authorized, revenue use specified, and bonds issued.

HF3344—McGuire (DFL)**Civil Law**

Second judicial district combined jurisdiction program authorized.

HF3345—Dorman (R)**Jobs & Economic****Development Finance**

Albert Lea Port Authority grant provided to remodel a building for use as a business incubator, bonds issued, and money appropriated.

HF3346—Mulder (R)**Health & Human Services Policy**

Interstate telemedicine services regulated.

HF3347—Clark, K. (DFL)
Family & Early Childhood Education Finance
Childcare assistance temporary ineligibility provided.

HF3348—Nornes (R)
Commerce, Jobs & Economic Development
Workers' compensation payment provisions and intervention procedures modified.

HF3349—Kuisle (R)
Agriculture Policy
Feedlots; number of animal units requiring a public meeting increased.

HF3350—Abeler (R)
Health & Human Services Policy
Dentistry; donated dental services program established, and money appropriated.

HF3351—McGuire (DFL)
Crime Prevention
Firearm possession lifetime ban imposed for certain violent criminals; licensing, transport, purchase regulation provided; local regulation authorized; criminal penalties imposed; and money appropriated.

HF3352—McGuire (DFL)
Family & Early Childhood Education Finance
Early childhood learning and child protection facilities funding provided, bonds issued, and money appropriated.

HF3353—Cassell (R)
Taxes
Local government aid city revenue base increased for certain cities.

HF3354—Gunther (R)
Agriculture & Rural Development Finance
Agricultural loan funding provided to the rural finance authority, bonds issued, and money appropriated.

HF3355—Eastlund (R)
K-12 Education Finance
Independent School District No. 911, Cambridge-Isanti, special education excess cost adjustment authorized.

HF3356—Westrom (R)
Health & Human Services Finance
Traverse County nursing facility rate increase provided.

HF3357—Westrom (R)
Higher Education Finance
University of Minnesota-Morris funding provided for social science building expansion and fire protection installation in student housing, bonds issued, and money appropriated.

HF3358—Sertich (DFL)
Local Government & Metropolitan Affairs
Central iron range sanitary sewer district established.

HF3359—Abeler (R)
Health & Human Services Policy
Nurse protocols modified.

HF3360—Murphy (DFL)
Commerce, Jobs & Economic Development
Proctor additional on-sale liquor licenses authorized.

HF3361—Swapinski (DFL)
Family & Early Childhood Education Finance
Teacher education and compensation helps, (TEACH), program established, and money appropriated.

HF3362—Stanek (R)
Transportation Policy
Black patrol vehicle use by municipal police departments authorized.

HF3363—Seifert (R)
Crime Prevention
Maximum stay of sentence extended indefinitely for offenders convicted of felony-level designated property offenses.

HF3364—Molnau (R)
Transportation Finance
Traffic control sign replacement grant program funding provided, bonds issued, and money appropriated.

HF3365—Mullery (DFL)
Governmental Operations & Veterans Affairs Policy
Local government pension levies and contributions restriction exception provided.

HF3366—Paymar (DFL)
Transportation Policy
Advertising adjacent to certain highways regulated; and report required.

HF3367—Tuma (R)
Local Government & Metropolitan Affairs
State and local government public notice required before transferring ownership or changing the use of publicly owned undeveloped land.

HF3368—Paymar (DFL)
Local Government & Metropolitan Affairs
Outdoor advertising prohibition by amortization authorized for cities of the first class.

HF3369—Swenson (R)
Environment & Natural Resources Policy
Wildlife shooting preserve provisions modified.

HF3370—Rifenberg (R)
Jobs & Economic Development Finance
Rushford institute for nanotechnology established, and money appropriated.

HF3371—Paymar (DFL)
Local Government & Metropolitan Affairs
Zoning; non-conforming use amortization by cities of the first class permitted.

HF3372—Jennings (DFL)
Regulated Industries
911 service access required by certain utilities providing service to non-subscribers, 911 fee discretion authorized, timely cost certification required, and money appropriated.

HF3373—Stanek (R)
Civil Law
Domestic fatality review team pilot project in fourth judicial district extension authorized.

HF3374—Larson (DFL)
Health & Human Services Policy
Autism spectrum disorder intensive early intervention behavior therapy services for children defined.

HF3375—Seagren (R)
Local Government & Metropolitan Affairs
Hennepin County environmental response fund continued.

HF3376—Mullery (DFL)
Taxes
Low-income public housing units and developments materials and equipment sales and use tax exemption provided.

HF3377—Mahoney (DFL)
Commerce, Jobs & Economic Development
Hazardous substance piping installation and repair regulated.

HF3378—Daggett (R)
Taxes
Agricultural homestead property tax class rate decrease provided.

HF3379—Rhodes (R)
Governmental Operations & Veterans Affairs Policy
Campaign finance and public disclosure law provisions modified.

HF3380—Gunther (R)
K-12 Education Finance
Independent School District No. 458, Truman, fund transfer authorized.

HF3381—Davids (R)
Commerce, Jobs & Economic Development
No-fault automobile insurance act applied to horse-drawn vehicles regularly operated on public roads.

HF3382—Hilty (DFL)
K-12 Education Finance
School district staff development revenue flexibility provided.

HF3383—Rukavina (DFL)
Taxes
Local government aid city aid base increased for certain cities, and money appropriated.

HF3384—Lenczewski (DFL)
Local Government & Metropolitan Affairs
Dan Patch commuter rail line-related actions regulated.

HF3385—Hausman (DFL)
Health & Human Services Policy
Epinephrine treatment for allergic reactions required of all ambulance services, and EMT training requirements modified.

HF3386—Clark, J. (R)
Crime Prevention
Criminal sexual conduct in the second degree presumptive executed sentences required.

HF3387—Wagenius (DFL)
Taxes
Low-income housing projects construction materials exempted from sales and use tax.

HF3388—Jaros (DFL)
K-12 Education Finance
School building accessibility capital improvement grant act additional funding authorized, program criteria modified, bonds issued, and money appropriated.

HF3389—Davnie (DFL)
Transportation Finance
Minneapolis 29th Street midtown corridor funding provided, bonds issued, and money appropriated.

HF3390—Johnson, R. (DFL)
Higher Education Finance
South Central Technical College North Mankato campus teaching lab remodeling funding authorized, bonds issued, and money appropriated.

HF3391—Finseth (R)
Agriculture & Rural Development Finance
St. Paul farmers' market hall project funding provided, bonds issued, and money appropriated.

HF3392—Winter (DFL)**Taxes**

Southwest regional development commission debt retirement or service levy authorized, and local bonds authorized.

HF3393—Boudreau (R)**Civil Law**

Limited driver's license issued to a person whose license has been suspended for nonpayment of child support under certain circumstances.

HF3394—Opatz (DFL)**Higher Education Finance**

Teacher persistence study required.

HF3395—Stanek (R)**Judiciary Finance**

Public safety, criminal justice, and related agencies previous appropriations changed and reduced.

HF3396—Peterson (DFL)**Health & Human Services Policy**

MinnesotaCare inpatient hospital costs subsidized supplemental coverage provided.

HF3397—Rukavina (DFL)**Jobs & Economic****Development Finance**

Northeast Minnesota economic protection trust fund expenditures regulated.

HF3398—Peterson (DFL)**Jobs & Economic****Development Finance**

Dawson infrastructure work and flood prevention grant provided, bonds issued, and money appropriated.

HF3399—Winter (DFL)**Transportation Policy**

Safety inspection sticker placement on windshields restrictions imposed.

HF3400—Seagren (R)**Education Policy**

Performing arts charter school city sponsorship authorized.

HF3401—Clark, J. (R)**Transportation Policy**

Barrier placement on roads prohibited more than 12 hours before initiation of improvement work.

HF3402—Clark, J. (R)**Transportation Finance**

Federal highway funding program Minnesota state withdrawal waiver required, motor fuel tax rate adjusted, and Metropolitan Council transportation planning authority transferred.

HF3403—Clark, J. (R)**Transportation Finance**

Motor vehicle sales tax revenue dedicated to the highway user tax distribution fund, and constitutional amendment proposed.

HF3404—Clark, J. (R)**Crime Prevention**

Security interest on vehicles subject to DWI-related forfeiture required to be perfected to protect interest of secured party.

HF3405—Davids (R)**Commerce, Jobs & Economic Development**

Certified public accountant relationships limited.

HF3406—Schumacher (DFL)**Agriculture Policy**

Farmers' market or community event prepared food sale limitations modified.

HF3407—Bishop (R)**Governmental Operations & Veterans Affairs Policy**

Labor agreements and compensation plans rejected, and labor agreement ratified.

HF3408—Rukavina (DFL)**Governmental Operations & Veterans Affairs Policy**

Labor agreements, plan amendments, and salary increase proposal ratified.

HF3409—Sykora (R)**K-12 Education Finance**

Referendum conversion adjustment for interest earned modified.

HF3410—Johnson, J. (R)**Civil Law**

Legislative enactments technical correction provided.

HF3411—Bakk (DFL)**Commerce, Jobs & Economic Development**

LTV steel mining pension plan termination delay by Pension Benefit Guaranty corporation encouraged by resolution.

HF3412—Holsten (R)**Local Government & Metropolitan Affairs**

Inverse condemnation proceedings authorized when a governmental entity occupies the market.

Thursday, February 14**HF3413—Koskinen (DFL)****Transportation Finance**

Coon Rapids; Trunk Highway 10 and Hanson Boulevard interchange reconstruction funding provided, bonds issued, and money appropriated.

HF3414—Harder (R)**Agriculture Policy**

Agricultural contract provisions clarified.

HF3415—Workman (R)**Transportation Policy**

Motor vehicle sales tax portion dedicated to the highway user tax distribution fund, motor fuel tax increased, bonds issued, money appropriated, and constitutional amendment proposed.

HF3416—Molnau (R)**Ways and Means**

Transportation appropriations reduced, Greater Minnesota transit assistance formulas modified, and local peace officer and firefighter insurance coverage reimbursement abolished.

HF3417—Ruth (R)**Jobs & Economic Development Finance**

Waseca northeast park community recreation facility construction funding provided, bonds issued, and money appropriated.

HF3418—Goodno (R)**Health & Human Services Policy**

Long-term care reform provisions modified.

HF3419—Schumacher (DFL)**Environment &****Natural Resources Policy**

County reimbursement for landfill costs provided.

HF3420—Abeler (R)**Civil Law**

Child in need of protection placed with relatives when removed from home.

HF3421—Bakk (DFL)**Environment &****Natural Resources Finance**

Grand Portage harbor of refuge planning provided, bonds issued, and money appropriated.

HF3422—Walker (DFL)**Health & Human Services Policy**

Large institution for children moratorium imposed, and study required on children and families whose needs are not being met.

HF3423—Goodno (R)**Governmental Operations & Veterans Affairs Policy**

Stadiums; public corporation established, football stadium and parking ramp provided, taxes and fees imposed, and money appropriated.

HF3424—McGuire (DFL)**Environment &****Natural Resources Finance**

Hennepin County Silver Lake environmental education center construction provided, bonds issued, and money appropriated.

HF3425—Davids (R)**Commerce, Jobs & Economic Development**

Credit scoring procedures regulated.

HF3426—Nornes (R)**Local Government & Metropolitan Affairs**

Local government aid city aid base increased for certain cities.

HF3427—Lenczewski (DFL)**Environment &****Natural Resources Finance**

State park and recreation area improvements, restoration, and acquisition funding provided; bonds issued; and money appropriated.

HF3428—Ness (R)**Agriculture & Rural****Development Finance**

Health and agriculture joint laboratory facility construction provided, bonds issued, and money appropriated.

HF3429—Abeler (R)**Health & Human Services Policy**

Deaf-blind services pilot project development provided.

HF3430—Bradley (R)**Commerce, Jobs &****Economic Development**

Mixed housing definition provided, mixed income development negotiation required, and collector street utilities authorized.

HF3431—Wolf (R)**Commerce, Jobs &****Economic Development**

Electrician licensing modified to require lighting and irrigation contractor licensing.

HF3432—Holsten (R)**Environment &****Natural Resources Policy**

Dry cleaner environmental response and reimbursement law provisions modified.

HF3433—Paymar (DFL)**Jobs & Economic****Development Finance Policy**

Stadium; St. Paul contribution provided for major league baseball park, special taxes imposed, exemptions provided, bonds issued, and money appropriated.

Other bills introduced Feb. 14 will be included in next week's issue. They are also available at www.house.mn.

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

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<http://www.house.mn/hinfo/schedule/index.htm>.

MONDAY, Feb. 18

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

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

Agenda: To be announced.

HEALTH & HUMAN SERVICES FINANCE

10 State Office Building
Chr. Rep. Kevin Goodno

Agenda: The Governor's proposed budget cuts in HHS-related programs. If you want to testify, please contact Andy Gildea at 651-296-5065 or at andy.gildea@house.leg.state.mn.us

Note: The committee will reconvene 30 minutes after session. Room to be announced.

JOBS & ECONOMIC DEVELOPMENT FINANCE

200 State Office Building
Chr. Rep. Dan McElroy

Agenda: HFXXXX (McElroy) Omnibus Jobs Finance Bill.

TRANSPORTATION FINANCE

5 State Office Building
Chr. Rep. Carol Molnau

Agenda: HF2860 (Swenson) Rail service improvement program funding provided, bonds issued, and money appropriated.

HF3293 (Swenson) Minnesota Valley Regional Rail Authority freight rail improvement funding provided, and money appropriated.

HF1287 (Ruth) Trunk Highway No. 14 four-lane expressway segment constructed, environmental impact statement prepared, and money appropriated.

HF647 (Westerberg) East Bethel; Trunk Highway No. 65 improvement bonds issued.

HF3019 (Hausman) Central Corridor Transitway bonds issued and money appropriated.

10:15 a.m.

CIVIL LAW

Basement Hearing Room
State Office Building
Chr. Rep. Steve Smith

Agenda: HF3062 (Smith) Hennepin and Ramsey County juvenile court judge term of service limitations repealed.

HF2909 (Tuma) Terrorism prevention integrated public policy established, data classification and sharing authorized, penalties provided, and money appropriated.

HF2843 (Tuma) Sexual abuse damage action statute of limitations modified.

HF2792 (Ozment) Local governments indemnification provided for participating in household hazardous waste programs.

HF3117 (Ozment) Minnesota environmental response and liability act statute of limitations to recover response costs clarified.

HF3190 (Stanek) Juvenile courts required to send juvenile petition data to the statewide supervision system.

HF3373 (Stanek) Domestic fatality review team pilot project in fourth judicial district extension authorized.

HF3263 (Holberg) Sexual psychopath or sexually dangerous person civil commitment; commissioner data access authorized for purposes of determination.

HF3393 (Boudreau) Limited driver's license issued to a person whose license has been suspended for nonpayment of child support under certain circumstances.

HF2932 (Sykora) Communicable disease disclosure to a foster care provider required.

HF2824 (Opatz) Student employment upon obtaining a degree data collection provided.

Note: Any agenda items not completed in the morning will be heard in 300S State Office Building 15 minutes after session.

HIGHER EDUCATION FINANCE

300S State Office Building
Chr. Rep. Peggy Leppik

Agenda: Minnesota State Colleges and Universities (MnSCU) capital request presentation.

Witnesses: Al Johnson, Associate Vice Chancellor for Facilities, MnSCU; Phil Griffin, Griffin Government Consulting.

K-12 EDUCATION FINANCE

5 State Office Building
Chr. Rep. Alice Seagren

Agenda: HF2508 (Kalis) Providing for a facility grant to Independent School District No. 2860, Blue Earth Area Public School; authorizing the sale of bonds; appropriating money.

HF2831 (Tingelstad) Creating a high performance school facility grant program; authorizing the sale of bonds; appropriating money.

HF2856 (Skoe) Providing for a grant to Independent School District No. 38, Red Lake, for school construction costs and related improvements; authorizing bonds; appropriating money.

HF3035 (Boudreau) Providing for capital improvements at the Minnesota state academies; authorizing issuance of bonds; appropriating money.

HF3044 (Mulder) Authorizing the issuance of state bonds; appropriating money for a single school facility for a new consolidated school district.

HF3113 (Rhodes) Authorizing a grant for a metropolitan magnet school; authorizing state bonds; appropriating money.

HF3184 (Mulder) Authorizing a facility grant; appropriating money.

HF2803 (Ness) Authorizing spending to acquire and to better public land and buildings; providing for an agricultural and food sciences educational facility; authorizing issuance of bonds; appropriating money.

Property Tax Division/TAXES

200 State Office Building
Chr. Rep. Ron Erhardt

Agenda: HF2977 (Hackbarth) Provides that certain real property used as a shooting range shall be classified as class 4c property.

HF2720 (Dempsey) Increasing city aid base for Red Wing.

HF2721 (Dempsey) Increasing city aid base for Hastings.

HF3353 (Cassell) Increasing city aid base for Alexandria.

HF2715 (Goodno) Allows cities to provide a two year property tax exemption for newly constructed homes in certain border cities; authorizing tax incentives.

HF3378 (Daggett) Decreases the class rate on certain agricultural homestead property.

12:30 p.m.

FAMILY & EARLY CHILDHOOD EDUCATION FINANCE

5 State Office Building
Chr. Rep. Barb Sykora

Agenda: HF3086 (Haas) Child care assistance data and information provisions modified. There will be a delete-all amendment to this bill.

HF2716 (Clark, J.) Youth enrichment activity facilities capital improvements funding provided, and money appropriated.

HF3352 (McGuire) Early childhood learning and child protection facilities funding provided,

bonds issued, and money appropriated.

LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building

Chr. Rep. Jerry Dempsey

Agenda: HF3007 (Olson) Local government state mandate opt out procedure provided.

HF2881 (McElroy) Tax increment financing deficit reduction provisions modified.

HF2978 (Cassell) Alexandria; lakes area economic development authority established, powers granted, and duties prescribed.

HF2995 (Howes) Water tank service contract bidding exception provided.

HF3074 (Ruth) Steele County recorder appointment authorized.

HF3224 (Abrams) Hennepin County health and medical center contracting authorized with public or private organizations.

HF2753 (Hilty) Carlton County recorder appointment authorized.

HF3269 (Murphy) St. Louis County purchase of state-owned real property authorized.

HF3192 (Bakk) Cook County road and bridge levy expenditure authorized.

HF2593 (Kahn) City council ward elections provided after reapportionment.

HF2830 (Osthoff) St. Paul local bonding authority limits set through 2008.

REGULATED INDUSTRIES

10 State Office Building

Chr. Rep. Ken Wolf

Agenda: HF2972 (Wolf) Relating to energy; making technical corrections to the 2001 omnibus energy bill.

3 p.m.

THE HOUSE MEETS IN SESSION.

15 minutes after session

WAYS & MEANS

Room to be announced

Chr. Rep. David Bishop

Agenda: To be announced.

4 p.m. or 30 minutes after session

ENVIRONMENT & NATURAL RESOURCES FINANCE

5 State Office Building

Chr. Rep. Mark Holsten

Agenda: Omnibus Budget Bill.

4 p.m.

TRANSPORTATION POLICY

5 State Office Building

Chr. Rep. Tom Workman

Agenda: HF3226 (Workman) Motorcycles authorized to run red light under certain circumstances.

HF3265 (Davnie) Eminent domain; appraisal fee reimbursement limit increased when property is acquired by the Department of Transportation.

HF3267 (Workman) Titling standards for motorcycles with new engines and similarly situated automobiles required to be the same.

HF3203 (Kuisle) Vehicle and bicycle registration provisions modified, dealer transactions regulated, motor carrier fuel tax provisions reorganized, snowplow driver license exemption modified, and driver's license for emancipated minors authorized.

HF2851 (Seagren) Metropolitan Council activities relating to the Dan Patch commuter rail line prohibited.

HFXXXX (Workman) Utility relocation bill.

6:15 p.m.

JOBS & ECONOMIC DEVELOPMENT FINANCE

118 State Capitol

Chr. Rep. Dan McElroy

Agenda: Department of Commerce agency capital budget request.

HF2789 (Osthoff) Stadium; St. Paul Major League Baseball stadium construction provided, St. Paul food and liquor tax levied, ticket tax established, bonds issued, and money appropriated.

HFXXXX (Paymar) Twins stadium.

Note: Meeting time may change depending on the length of session.

TUESDAY, Feb. 19

7:30 a.m.

HEALTH & HUMAN SERVICES POLICY

10 State Office Building

Chr. Rep. Fran Bradley

Agenda: HF2813 (Molnau) Child care providers required to develop policies for reporting suspected child maltreatment.

HF3193 (McElroy) Dentistry practice act violations reporting to the board of dentistry required, and complainant immunity provided.

HF3213 (Goodno) Mental health services coverage inconsistencies corrected for services under provided health plans.

HF3258 (Goodno) County agencies not required to provide income support or cash assistance when specified state programs fail to do so.

HF3309 (Cassell) Nursing home licensed bed lay away authorized during moratorium projects.

HF2664 (Bradley) Supplemental nursing services agencies requirements modified.

HF3236 (Jacobson) Human services continuing care programs modified.

HF3249 (Hilty) Alcohol and drug counselor licensing written case presentation and oral examination component waived for specified individuals.

HF2953 (Abeler) Volunteer health care provider program established, and state employee status provided relating to tort claims.

HF3181 (Nornes) Children's Mental Health

Subcommittee to the State Advisory Council on Mental Health membership modified.

8 a.m.

TRANSPORTATION POLICY

5 State Office Building

Chr. Rep. Tom Workman

Agenda: HF2939 (Workman) Motor vehicle sales tax fund established, proceeds dedicated to highways and public transit, highway bonding limitation removed, motor fuel tax increased, bonds issued, money appropriated, and constitutional amendment proposed.

8:15 a.m.

EDUCATION POLICY

200 State Office Building

Chr. Rep. Harry Mares

Agenda: HF3069 (Wolf) School district timely submission of teacher contract settlement information required.

HF2437 (Erickson) Wrestling teams required to be gender separated.

HF2304 (Kielkucki) Nonpublic school students required to be fully eligible to participate in extracurricular activities.

HF2801 (Ness) Charter school students allowed to fully participate in extracurricular activities of resident school district.

HF3057 (Kielkucki) Minnesota State High School League corporate partnerships permitted.

HF3097 (Folliard) School districts and charter schools required to use a uniform teacher employment application form.

JUDICIARY FINANCE

Basement Hearing Room

State Office Building

Chr. Rep. Rich Stanek

Agenda: To be announced.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room

State Office Building

Chr. Rep. John Tuma

Agenda: HF2622 (Stanek) Minnesota Anti-terrorism Act of 2002.

HF3048 (Workman) Criminal penalties for persons who promote, advocate, and take responsibility for criminal acts.

HF3033 (Tuma) Minnesota Crime Victim Services Center housekeeping (continued from Feb. 12 hearing).

HF3231 (Rhodes) Department of Public Safety housekeeping bill - DWI test provisions modified, electronic forms permitted, etc.

ENVIRONMENT & NATURAL RESOURCES POLICY

10 State Office Building

Chr. Rep. Dennis Ozment

Agenda: HF94 (Haas) Fish and game law gross overlimit violations criminal penalties

established, and restitution values determined.
HF3128 (Hackbarth) Big game hunting ammunition provision modified.
HF3025 (Peterson) Land acquisition procedures and certain local planning regulations modified, certain state parks and state recreation area land modified, state land sales in specified counties authorized, and money appropriated.
HF2707 (Skoe) State lands withdrawn from sale shoreline provision modified.
HF2729 (Rifenberg) Winona County surplus land sale authorized.
HF2914 (Ness) Meeker County sale of certain tax-forfeited land bordering public water authorized.
HF2926 (Schumacher) Sherburne County private sale of surplus state land authorized.
HF3063 (Cassell) Douglas County sale of tax-forfeited land bordering public water authorized.
HF3287 (Bakk) St. Louis County school trust land bordering public water public sale authorized.
HF3313 (Bakk) St. Louis County tax-forfeited land sales authorized.

STATE GOVERNMENT FINANCE

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

TAXES

200 State Office Building
Chr. Rep. Ron Abrams
Agenda: HF2875 (Abrams) Department of Revenue; Tax data classification and disclosure provisions, technical changes provided.
HF3191 (Abrams) Department of Revenue; Taxation; Policy and administrative changes.
HF2666 (Dorman) Tax amnesty program established.

12:30 p.m.

AGRICULTURE & RURAL DEVELOPMENT FINANCE

10 State Office Building
Chr. Rep. Bob Ness
Agenda: To be announced.

CAPITAL INVESTMENT

5 State Office Building
Chr. Rep. Jim Knoblach
Agenda: Brown's Creek Trout Stream (Holsten). Southwest State University Fire (Seifert). Roy Wilkins Auditorium. People's Inc. (Kahn).

COMMERCE, JOBS & ECONOMIC DEVELOPMENT POLICY

200 State Office Building
Chr. Rep. Greg Davids
Agenda: HF1205 (Sykora) Wine; off-sale wine licenses authorized for supermarkets in metropolitan counties.
HF3082 (Jennings) Wage credits earned by school food service employees used for specified

unemployment benefit purposes.
HF3206 (McElroy) Health commissioner occupational safety responsibilities eliminated in certain instances and penalty limits for certain violations increased.
HF3348 (Nornes) Workers' compensation payment provisions and intervention procedures modified.
HF3447 (Knoblach) Housing and real property benefit data classified.

1 p.m.

JUDICIARY FINANCE

400S State Office Building
Chr. Rep. Rich Stanek
Agenda: To be announced.

3 p.m.

THE HOUSE MEETS IN SESSION.

4 p.m. or 30 minutes after session

ENVIRONMENT & NATURAL RESOURCES FINANCE

400S State Office Building
Chr. Rep. Mark Holsten
Agenda: To be announced.

6:15 p.m.

JOBS & ECONOMIC DEVELOPMENT FINANCE

200 State Office Building
Chr. Rep. Dan McElroy
Agenda: Presentation of capital budget projects.
HF2811 (Abrams) Guthrie Theater.
HF3072 (Seagren) Bloomington Center for the Arts.
HF2421(Rukavina) Virginia central steam heating system repairs.
HF2552(Mariani) St. Paul neighborhood house immigration and community resource center.
HF2913 (Mariani) St. Paul Raspberry Island and Upper Landing capital improvements.
HFXXXX(Ruth) Waseca community center.
Other bills may be added.
Note: Meeting time may change depending on the length of session.

WEDNESDAY, Feb. 20

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

Basement Hearing Room
State Office Building
Chr. Rep. Jim Rhodes
Agenda: To be announced.

HEALTH & HUMAN

SERVICES FINANCE
10 State Office Building
Chr. Rep. Kevin Goodno
Agenda: House proposals on HHS-related

spending options. If you want to testify, please contact Andy Gildea at 651-296-5065 or at andy.gildea@house.leg.state.mn.us
Note: The committee will reconvene 30 minutes after session. Room to be announced.

JOBS & ECONOMIC DEVELOPMENT FINANCE

200 State Office Building
Chr. Rep. Dan McElroy
Agenda: Presentation of capital budget projects.
HF2897 (Osthoff) Ramsey County purchase of Union Depot authorized.
HF2962 (Osthoff) St. Paul Roy Wilkins auditorium roof repair and ADA compliance funding provided.
HF3085 (Gunther) Fairmont athletic facilities expansion and improvement.
HF2917 (Kahn) Minneapolis empowerment zone subprojects improvements provided.
HF2864 (McGuire) Ramsey County predesign funding provided for the Gibbs museum of pioneer and Dakotah life.
HF407 (Howes) Wastewater infrastructure supplemental assistance provided.

TRANSPORTATION FINANCE

5 State Office Building
Chr. Rep. Carol Molnau
Agenda: HF2589 (Ness) Corn-based highway de-icing solutions provided for snow and ice control on state trunk highways.
HF2769 (Swenson) County-state-aid highway priority reconstruction project funding provided for specific highways in specified counties, bonds issued, and money appropriated.
HF2754 (Wolf) Freight improvement projects funding provided, bonds issued, and money appropriated.
HF3364 (Molnau) Traffic control sign replacement grant program funding provided, bonds issued, and money appropriated.
HF2852 (Marko) High speed rail line funding provided for state share of St. Paul to Chicago rail line, bonds issued, and money appropriated.

10 a.m.

Legislative Audit Commission

118 State Capitol
Chr. Sen. Ann H. Rest
Agenda: Release and review of program evaluation report on State Employee Health Insurance; report of Special Subcommittee on Data Access and Topic Selection.

10:15 a.m.

CIVIL LAW

Basement Hearing Room
State Office Building
Chr. Rep. Steve Smith
Agenda: HF2953 (Abeler) Volunteer health care provider program established, and state employee status provided relating to tort claims.
HF3163 (Lipman) Revisor's bill correcting erroneous, ambiguous, and omitted text and

obsolete references.

HF3278 (Walker) Human rights sanctions added and standing to seek sanctions created.

HF2840 (Clark, J.) Criminal prosecution estoppel provisions modified relating to certain license revocation hearings, juvenile jurisdiction provided, child endangerment definition expanded relating to controlled substances, and penalties prescribed.

HF3205 (Clark, J.) Public works contracts regulated.

HF2525 (Hackbarth) Employers required to allow unpaid leave for employees performing volunteer firefighter duties.

HF3034 (Holberg) School bus driver background check procedure modified, criminal history checks for certain liquor license applicants authorized, and use of data collected on employees of certain license holders clarified.

HF3079 (Holberg) Residential real estate sale disclosure requirements provided.

Note: Any agenda items not completed in the morning will be heard in 300S State Office Building 15 minutes after session.

ENVIRONMENT & NATURAL RESOURCES FINANCE

10 State Office Building

Chr. Rep. Mark Holsten

Agenda: To be announced.

HIGHER EDUCATION FINANCE

300S State Office Building

Chr. Rep. Peggy Leppik

Agenda: HF2708 (Ness) Minnesota Extension Service county extension work definition clarified.

Witnesses: Rep. Bob Ness; Charles Casey, Dean, University of Minnesota Extension Office; Charles Muscoplat, Dean, College of Agricultural, Food, and Environmental Sciences.

K-12 EDUCATION FINANCE

5 State Office Building

Chr. Rep. Alice Seagren

Agenda: To be announced.

Sales and Income Tax Division/TAXES

200 State Office Building

Chr. Rep. Elaine Harder

Agenda: HF2777 (Juhnke) Allows quarterly sales tax filers to file paper returns.

HF2937 (Abrams) Phases-in corporate franchise taxation apportionment based solely on sales.

HF3050 (Westerberg) Provides that sales of smoking cessation devices are exempt from sales and use taxes.

HF 3009 (Olson) Requires sales tax on motor vehicles to be deposited in highway user tax distribution fund.

HF3285 (Abrams) Exempts certain delivery or distribution charges for printed materials from the sales and use tax.

12:30 p.m.

AGRICULTURE POLICY

10 State Office Building

Chr. Rep. Tim Finseth

Agenda: HF3183 (Finseth) Changing certain pesticide provisions.

HF2770 (Johnson, R.) Changing eligibility criteria for RFA loan programs.

HF3107 (Blaine) Clarifying language concerning agricultural fund revolving accounts.

HF3142 (Swenson) Uniformity with certain Minnesota food rules with certain federal standards.

HF3251 (Otremba) Changing certain powers concerning grain.

HF3298 (Swenson) Changing provisions of the agricultural chemical response and reimbursement law.

Economic Development and Tourism

Division/COMMERCE, JOBS &

ECONOMIC DEVELOPMENT POLICY

Basement Hearing Room

State Office Building

Chr. Rep. Arlon Lindner

Agenda: Presentation on inclusionary housing initiatives, Tonja Orr, Intergovernmental Relations, Minnesota Housing Finance Agency. Presentation on tourism and the Minnesota economy, John Edman, Director, Minnesota Office of Tourism, Department of Trade and Economic Development.

Presentation on tourism and Minnesota parks, Department of Natural Resources.

FAMILY & EARLY CHILDHOOD

EDUCATION FINANCE

5 State Office Building

Chr. Rep. Barb Sykora

Agenda: Library telecommunications report.

HF3005 (Howes) Mighty books grant program established, bonds issued, and money appropriated.

HF2705 (Howes) Pine River city library renovation and expansion funding provided, bonds issued, and money appropriated.

HF2700 (Nornes) Fergus Falls public library expansion project funding provided, bonds issued, and money appropriated.

HF2806 (Skoe) Fosston public library accessibility improvements grant provided, bonds issued, and money appropriated.

LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building

Chr. Rep. Jerry Dempsey

Agenda: HF3112 (Eastlund) Counties authorized to require dedication of land for public parks. Other agenda items to be announced.

3 p.m.

THE HOUSE MEETS IN SESSION.

Time to be announced

COMMERCE, JOBS & ECONOMIC DEVELOPMENT POLICY

Basement Hearing Room

State Office Building

Chr. Rep. Greg Davids

Agenda: HF3143 (Sertich) Economic development obsolete provisions eliminated, world trade center use modified, urban initiative program modified, wastewater and drinking water funding coordinated, and bonding authority increased.

HF3158 (Gunter) Greater Minnesota redevelopment program established.

HF2641 (Bradley) Health plan company regulation modified, prescription drug discount program established, Minnesota provider tax and tobacco tax provisions modified, malpractice punitive damage limit imposed, and money appropriated.

HF2755 (Haas) Health insurance form and rate filing requirements modified, task force on small business health insurance extended, geographic premium variations modified, and renewal premium increases cap established.

HF3411 (Bakk) LTV steel mining pension plan termination delay by Pension Benefit Guaranty Corporation encouraged by resolution.

THURSDAY, Feb. 21

8 a.m.

TRANSPORTATION POLICY

5 State Office Building

Chr. Rep. Tom Workman

Agenda: HF2882 (Workman) Electric personal assistive mobility device roadway and sidewalk regulations established.

HF3189 (Workman) Street sweeping vehicles defined as special mobile equipment for registration purposes.

Bills to be added.

8:15 a.m.

EDUCATION POLICY

200 State Office Building

Chr. Rep. Harry Mares

Agenda: HF2586 (Kielkucki) Enrollment options established for students at low-performing schools.

HF2877 (Harder) Shared time aid provisions modified relating to district of attendance.

HF3247 (Johnson, J.) Kindergarten through grade 12 unneeded mandates eliminated.

HF3317 (Seagren) Education obsolete provisions amended and repealed.

Other bills may be added.

**HEALTH & HUMAN
SERVICES POLICY**

10 State Office Building

Chr. Rep. Fran Bradley

Agenda: HF3223 (Harder) Out-of-state facilities for children with severe emotional disturbance certification plan required.

HF3291 (Nornes) Health care resident reimbursement classifications modified.

HF1226 (Davids) Medical response unit registration provided.

HF3166 (Abeler) Human services continuing care programs technical provisions modified.

More bills may be added.

JUDICIARY FINANCE

Basement Hearing Room

State Office Building

Chr. Rep. Rich Stanek

Agenda: To be announced.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room

State Office Building

Chr. Rep. John Tuma

Agenda: To be announced.

**ENVIRONMENT & NATURAL
RESOURCES POLICY**

10 State Office Building

Chr. Rep. Dennis Ozment

Agenda: To be announced.

STATE GOVERNMENT FINANCE

300N State Office Building

Chr. Rep. Philip Krinkie

Agenda: To be announced.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

12:30 p.m.

**AGRICULTURE & RURAL
DEVELOPMENT FINANCE**

10 State Office Building

Chr. Rep. Bob Ness

Agenda: To be announced.

AGRICULTURE POLICY

Basement Hearing Room

State Office Building

Chr. Rep. Tim Finseth

Agenda: HF2574 (McElroy) Extending the date by which a cogeneration facility at an ethanol plant must generate electricity using closed-loop biomass in order for the Commissioner of Agriculture to make cash payments to producers, etc.

HF3241 (Westrom) Establishing a livestock development program.

HF3038 (Penas) Requiring the Board of Animal Health to modify a certain rule.

HF3406 (Schumacher) Modifying limits on the sale of prepared foods at community events or farmers markets.

HF3052 (Peterson) Clarifying required permission for work in public waters, etc.

CAPITAL INVESTMENT

500S State Office Building

Chr. Rep. Jim Knoblach

Agenda: To be announced.

**COMMERCE, JOBS & ECONOMIC
DEVELOPMENT POLICY**

200 State Office Building

Chr. Rep. Greg Davids

Agenda: HF3257 (Davids) Financial institution detached facilities, charges and fees, and mortgage prepayment penalties regulated.

HF2989 (Haas) Health information data classified, certain continuing education requirements regulated, contractor's recovery fund regulated, uniform conveyancing forms adopted, and obsolete rules repealed.

HF2988 (Haas) Insurance licenses, fees, and coverages regulated in certain instances.

HFXXXX (Davids) Creating Insurance Fraud Unit within the Department of Commerce.

**ENVIRONMENT & NATURAL
RESOURCES FINANCE**

5 State Office Building

Chr. Rep. Mark Holsten

Agenda: To be announced.

3 p.m.

THE HOUSE MEETS IN SESSION.

6:15 p.m.

JOBS & ECONOMIC

DEVELOPMENT FINANCE

300N State Office Building

Chr. Rep. Dan McElroy

Agenda: Presentation of capital budget projects. HF2850 (Winter) Tracy central business district revitalization.

HF2827 (Winter) Murray County; Lake Shetek centralized wastewater system.

HF3185 (Skoe) Red Lake Indian Reservation economic development facility construction funding.

HF3271 (Solberg) Nashwauk stabilization pond facility wastewater diversion project.

Other bills to be added.

Note: Meeting time may change depending on the length of session.

FRIDAY, Feb. 22

8:15 a.m.

**GOVERNMENTAL OPERATIONS &
VETERANS AFFAIRS POLICY**

Basement Hearing Room

State Office Building

Chr. Rep. Jim Rhodes

Agenda: To be announced.

**HEALTH & HUMAN
SERVICES FINANCE**

10 State Office Building

Chr. Rep. Kevin Goodno

Agenda: Budget adjustments in HHS-related spending programs.

JUDICIARY FINANCE

500S State Office Building

Chr. Rep. Rich Stanek

Agenda: To be announced.

9 a.m.

*****IF NEEDED*****

TRANSPORTATION POLICY

5 State Office Building

Chr. Rep. Tom Workman

Agenda: To be announced.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room

State Office Building

Chr. Rep. John Tuma

Agenda: To be announced.

Note: This hearing is scheduled to last until 6 p.m. or as needed to complete the agenda.

**ENVIRONMENT & NATURAL
RESOURCES FINANCE**

10 State Office Building

Chr. Rep. Mark Holsten

Agenda: To be announced.

HIGHER EDUCATION FINANCE

300S State Office Building

Chr. Rep. Peggy Leppik

Agenda: University of Minnesota capital request. Witness: Mark Yudof, President, University of Minnesota.

K-12 EDUCATION FINANCE

5 State Office Building

Chr. Rep. Alice Seagren

Agenda: To be announced.

Now nine months later, Bishop said the language in the contracts is vague and does not accomplish the goal of same-sex domestic partner benefits. He said domestic partners could be interpreted as those having financial dependence on someone they live with.

Others argued that the governor deliberately took the Legislature out of the discussion and should not be allowed to make public policy through such a private means as collective bargaining.

“I believe there’s an issue in this contract that’s state policy that needed to be resolved in the Legislature first and that was not taken care of appropriately,” said Rep. Dennis Ozment (R-Rosemount) during the rules committee meeting. And later on the House floor, he said, “It’s being used by the Ventura administration to circumvent the Legislature.”

Reflections

Every 10 years the Legislature formulates a redistricting plan to equalize populations in state and congressional districts after the U.S. Census is taken.

One of the major challenges for political parties is how the redistricting issue will be handled. Lawmakers may have to seek a reading from the state or federal Supreme Court about proposed changes if the governor does not sign a mutually agreed upon plan into law.

New census results indicate that the state's population has grown by 12.4 percent since 1990 — up from 4,375,099 to 4,919,479 individuals. That translates into 36,712 constituents for each of the 134 House members and 73,425 individuals per Senate member.

When legislative districts are shifted due to population change, the restructuring of voting blocs can cause concern for some lawmakers. Population shifts can affect how party caucuses may view a race for majority control of the House and/or Senate.

The strategies are such that political caucuses want to hold onto the districts they already control, yet increase concentrated partisan voting. Thus they seek to gain more districts to maintain the majority or to retake the majority after it was lost in a previous election.

Once redistricting is in place, which it must be this year by March 19, a newly elected lawmaker may represent a district that is only part of a county, is a full county, or may contain two or more counties depending on population size.

Geographic size is not the most important factor in the process; population

density is. For example, Ramsey County is the state's smallest county with only 154 square miles of area, but it has a dense population that made large shifts in the last 10 years.

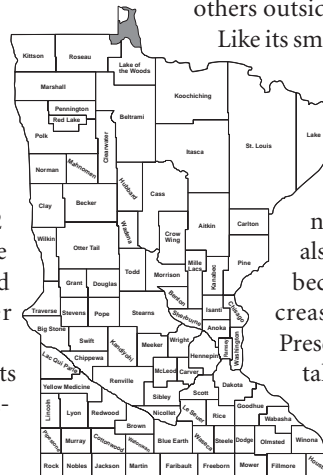
In 1990 its population was 485,765. Ten years later 511,035 people lived within county limits. It is possible that after re-districting, two or more of the county's eight House districts may be merged with others outside its borders.

Like its smaller geographic counterpart, Koochiching County (more than 20 times larger than Ramsey County at 3,108 square miles) in far north-central Minnesota may also be joined with a neighbor because its total population decreased from 16,299 to 14,355. Presently, one House district (3A) takes up the entire county, except for much of the Bois Forte Indian Reservation located to the east in District 6A.

District 6A and eight other House districts are found in St. Louis County, geographically the state's largest. This county — which extends from Lake Superior at the city of Duluth, 60 miles to the west, and 100 miles north to the Canadian Border — has a land area of 6,125 square miles. Its increase in population, from 198,213 to 200,528 individuals, will likely cause some minor changes in district boundaries within the county.

Change in the Legislature often comes about in many ways, but only once per decade is there a concerted effort to ensure that equal representation for the general public is maintained.

—LECLAIR GRIER LAMBERT



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MINNESOTA INDEX

Recycling and waste reduction

Statewide recycling rate in 2000, as percent	48
In 1991	36
State ranking in 1999 and 2000	6
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Mechanical and hand-separated	2
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In 1991	43
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In Greater Minnesota	58
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Tons of garbage collected	3.2 million
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In 2000	1.14
Using current trends, estimation in 2020	2.5
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Source: Recycling and Waste Reduction, Office of the Legislative Auditor, January 2002

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

FEBRUARY 22, 2002
VOLUME 19, NUMBER 4

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BUDGET BALANCING PLAN

GAS TAX INCREASE PITCHED, AND MORE

HF3434-HF3606

Session Weekly

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

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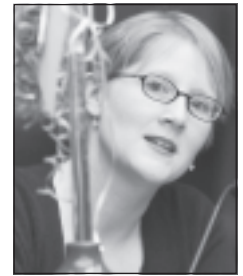
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On the cover: A light dusting of snow fell on the Capitol complex Feb. 20.

—Photo by Andrew Von Bank

Budget balance

House approves plan that features spending reductions and uses state reserves and transfers

By DAVID MAEDA

In his state of the state address, Gov. Jesse Ventura challenged lawmakers to take quick action on the state's budget deficit. Four weeks into the session, House and Senate members reached an agreement to deal with the shortfall for the current biennium.

The House passed the bill Feb. 21 by a 76-56 vote.

The Department of Finance's November forecast projected a \$1.95 billion deficit for fiscal years 2002-2003. The estimated deficit for the following biennium is \$1.2 billion.

The bill (HF351*/SF254) uses a combination

does allow schools to levy up to \$18 million for integration aid in 2005.

"I'm working under the assumption that this bill will become law," Sen. Doug Johnson (DFL-Tower) said during a Feb. 20 conference committee meeting. He co-chaired the committee with Rep. Rich Stanek (R-Maple Grove).

But Ventura indicated that he wanted the Legislature to deal with the entire deficit, and a solution that does not address the projected deficit for the next biennium may draw the governor's veto.

Under the measure, the area of human

empt from the hiring freeze. Officials estimate the freeze would save about \$40 million.

The bill would require the governor to reduce planned expenditures for professional or technical service contracts by at least \$35 million for the current biennium.

It also prohibits future budget forecasts from including an allowance for inflation — an area of contention with the Ventura administration and House DFL members.

Rep. Rob Leighton (DFL-Austin) said the proposal doesn't take into account an inflation estimate for 2004-2005 of about \$1.1 million.

"This is a fraud. This is a gimmick. This is an insult to the people of Minnesota," he said on the House floor Feb. 21.

Not taking inflation into account would lead to further cuts in education, said Rep. Betty Folliard (DFL-Hopkins).

"You can't legislate away inflation," she said. "This bill creates more problems than it solves."

"We're sliding backwards, we're moving backwards, and we are maybe even falling backwards into a mediocre Minnesota," Rep. Margaret Anderson Kelliher (DFL-Mpls) said of the bill.

But House Majority Leader Tim Pawlenty (R-Eagan) responded by saying that the House DFL caucus hasn't yet proposed an alternative plan.

"To be problem solvers you've got to be able to stand up and say how you're going to solve the problem," he said. "Is this a great process? No. Is this a great result? No. Is this what we all wanted? Absolutely not."

DFL members were also critical of K-12 education portions of the plan, an area of government House leaders had said they would avoid cutting at the beginning of the 2002 session.

The bill includes a statement of intent for future deficits with a provision that says, "All budget reductions should be made with an emphasis on cutting administration and overhead expenses, and with as little impact as possible on programs and services."

The next budget forecast is due out at the end of this month. It will indicate whether the state's projected deficit has increased or decreased since November.

The Senate passed the plan 57-8 on Feb. 20. It now awaits the governor's signature.

The following are some highlights of the budget balancing plan.



PHOTOS BY TOM OLMSCHIED

House Speaker Steve Sviggum, at microphones, is surrounded by members of the House, Senate, the press and lobbyists at a Feb. 19 news conference as he announces an agreement between the House and Senate on a bipartisan budget-balancing proposal.

of \$1.4 billion in various state reserves and transfers from other funds into the general fund, a one-year delay of a provision from last year's omnibus tax bill, \$373 million in permanent spending reductions, and \$131 million in one-time spending cuts. The bill also provides for \$720 million in reductions in state agency base budgets for the next biennium.

The measure includes no tax increases but

services would receive the largest decrease in funding at \$95.9 million. Higher education is second at \$50 million, followed by state agencies at \$41.9 million.

State agencies and the Legislature would be prohibited from hiring any permanent or temporary employees before July 1, 2003. However, the Minnesota State Colleges and Universities (MnSCU) system would be ex-



Rep. Tom Bakk looks over figures as House and Senate committee fiscal analysts address the budget resolution conference committee Feb. 20.

Agriculture and rural development

The Department of Agriculture's budget would be reduced by \$879,000 this biennium and \$1.66 million in the 2004-2005 biennium.

Ethanol producer payments would remain at 20 cents per gallon through fiscal year 2004. The payments would be reduced to 19 cents in the following years.

Rep. Bob Ness (R-Dassel), chair of the House Agriculture and Rural Development Finance Committee, said he remains committed to restoring a 1 cent reduction in the future, if at all possible.

Total agriculture adjustments would be \$2.7 million for 2002-03. The governor recommended \$12.6 million in cuts for the biennium.

Economic development

Economic development general fund initiatives would be reduced by \$7 million. Rep. Bob Gunther (R-Fairmont) said an effort was made not to harm affordable housing programs. The Minnesota Housing Finance Agency's base budget would be reduced by \$216,000 this biennium, and \$1.3 million in 2004-2005.

The bill would postpone the merger between the Department of Economic Security and the Department of Trade and Economic Development, scheduled to occur July 1, 2002, for one year.

The governor's proposal to eliminate the cosmetology enforcement unit in the Department of Commerce was not included in the bill. Ventura recommended \$35 million in general fund cuts for 2002-03.

Environment

General fund reductions would total \$14.3 million under the measure, but some of the cuts would be offset by transfers from other funds. For example, the budget for the Office of Environmental Assistance would be cut \$2 million from the general fund in 2002 but would receive \$1.5 million from the solid waste fund the following year.

The Department of Natural Resources

Continued on page 22

IT'S A FACT



Claiming the land

U.S. government, American Indians negotiated for much of Minnesota more than 150 years ago

In 1855 an unidentified member of the Ojibwe tribe described the way the government took American Indian land for pennies on the dollar as "Giving so much for so little."

Such was the way things were before and shortly after Minnesota became a state.

According to the Minnesota Historical Society's Treaty Story, the first white settlers to visit the state in the 1700s were fur traders looking to do business with members of the Sioux, Chippewa, and Winnebago tribes. They had no interest in owning the land.

Explorers from Europe later charted the area on their maps and laid claim to the land. But the American Indians did not think of land as something to be owned.

With pressure mounting, the American Indians began to accept money, goods, and services from the government in exchange for their land, with the stipulation it would be used for specific purposes.

When Minnesota became a state in 1858 almost all land owned by the Indians belonged to the government, which made it available to white settlers.

The first land to be ceded was 100,000 acres where the Minnesota and Mississippi rivers meet. Included in that land is where Minneapolis and St. Paul now stand. The Dakota tribe was paid \$2,000 for land valued at 100 times that much by Lt. Zebulon Pike, who negotiated on behalf of the government. Fort Snelling was built on the site in 1820.

Part of the problem was that the American Indians did not know English and relied on interpreters paid by the government.

Further aiding government negotiations was the Prairie du Chien Treaty in 1825. The agreement with eight tribes set the boundaries for tribal land, even though the natives did not agree.

"The lands I claim are mine and the nations here know it is not only claimed by us but by our Brothers the Sac and Fox, Menominees, Iowas, Mahas, and Sioux," said Caramonee, a Ho Chunk tribal leader.

"It would be difficult to divide it. It belongs as much to one as to the other."

A dozen years later, the Ojibwe and Dakota tribes ceded land in central and east-central Minnesota. The Ojibwes received cash, annuities, and the payment of claims made by traders. The Dakota people earned \$15,000 for land valued at about \$1.6 million.

Once the land was acquired white settlers began to come to the territory to farm and start businesses.

Ten years later the Ojibwe received \$17,000 for land in central Minnesota, plus the promise of \$1,000 per year for 46 years.

The government got its largest piece of Minnesota — roughly all points southwest of a line from Moorhead to nearly the southeast corner of the

state — in 1851 with the treaties of Mendota and Traverse des Sioux.

Again the American Indians on those lands, the Dakota, were shortchanged. Ceded for about 7.5 cents an acre, the government sold it to settlers for \$1.25 per acre.

The Dakota were allowed to live on land previously set aside for reservations along the Minnesota River, until the land was needed for settlers. Some was ceded in June 1858 for about 5 percent of its value. When they were paid two years later most of the money went to debts claimed by traders.

Four years later a war between the tribe and settlers broke out for the strip of land south of the Minnesota River. Thirty-eight Indians were ultimately executed for their participation and another 265 were sent to prison in Iowa or reservations in South Dakota and Nebraska.

In 1863 the Dakota tribe was forced to give up their remaining land, and the government cancelled all treaties with the tribe.

Congress ended the practice of making treaties with American Indian nations in 1871, but past treaties remained.

(M. Cook)



Dakota Indian treaty delegation in Washington, D.C., 1858.

Photo courtesy of the Minnesota Historical Society

Editor's Note: House and Senate leadership announced a budget deal had been negotiated late in the afternoon Feb. 19. The resulting legislation was accelerated through the process, containing information that encompasses all funding areas of state government, potentially making separate omnibus funding bills unnecessary. However, given the possibility that the governor may veto the plan and there may not be enough votes to override any veto in both the House and the Senate, we have decided to include stories about initial budget conversations that have taken place in House committees.

We have also determined that including the testimony about budget cuts is valuable to understanding the issues involved. We hope readers also find this information useful.

★ AGRICULTURE

Limiting lagoons

The state would continue a moratorium on open-air swine waste lagoons made of mud or clay under a bill approved Feb. 15 by the House Agriculture Policy Committee.

In 1998, the Legislature passed a temporary law restricting the lagoons. The ban aims to limit water pollution and foul odors.

Rep. Gary Kubly (DFL-Granite Falls) said he's received more than 700 complaints on feedlots in his district. He hopes that a bill (HF3207) he is sponsoring would "allow people to live together with more equanimity."

The ban would exempt lagoons constructed with concrete.

A similar measure, HF2965, sponsored by Rep. William Kuisle (R-Rochester) also cleared the committee. Besides exempting feedlot owners from liability if vandals pollute waters on their property, the bill would bar the state or counties from issuing permits for open-air swine manure lagoons unless the lagoon holds less than 1 million gallons. The ban would expire in 2007.

Both bills were referred to the House Environment and Natural Resources Policy Committee.

Tom Dunnwald, representing Clean Water Action, said hog producers don't stand to lose financially under the ban. He said most farmers use manure pits located under their barns.

But Rep. Dan Dorman (R-Albert Lea) questioned whether it would be better to leave the permit issue to local officials.

Putting the issue into a broader context, Rep. Bob Ness (R-Dassel) said small producers face a disproportionate share of the state's pollution control regulations. He said people in the Twin Cities metropolitan area throw

away large amounts of garbage that end up in landfills, arguing that agricultural waste produced in rural areas pales in comparison.

"The big guys get off scot-free," Ness said.

Rep. Torrey Westrom (R-Elbow Lake) successfully tacked on an amendment to HF3207 that would limit who could request an environmental assessment worksheet on a proposed agriculture project.

Anyone can now sign a petition to call on the appropriate government authority to study a feedlot project's potential effect on the environment. Westrom's amendment would require that the petition contain 25 signatures from residents or landowners in the area. Petitioners would be required to have property in the county or within five miles of the proposed agriculture project.

Westrom said the amendment would prevent out-of-state or Twin Cities metropolitan area petitioners from swooping in and challenging the expansion of feedlots or other animal agriculture projects in Greater Minnesota.

Earning more money

Under current law, Minnesota farmers who peddle jams or baked goods at local farmers' markets or other community events can only pocket \$1,000 during the year.

The limit would increase to \$5,000, under a bill backed by the House Agriculture Policy Committee on Feb. 20.

"We have to do all we can to support our family farmers," said Rep. Leslie Schumacher (DFL-Princeton), the sponsor of HF3406. "It's a common sense bill."

Daniel Whitcomb, vice chairman of the Minnesota Farmer's Market Association, testified in support of the bill. He said customers, particularly those in suburban and urban parts of the state, are increasingly purchasing homemade products at the markets.

For show-and-tell, Whitcomb held up a jam made from Minnesota blueberries and lingonberries and a jar of apple butter.

However, Kevin Elfering, who supervises the dairy and food inspection division of the Department of Agriculture, objected to the measure on grounds that it would make it more difficult for the state to guard against the spread of food-borne pathogens such as salmonella.

Elfering said the department compromised on the \$1,000 limit when the legislation was first drafted regarding the farmer's markets.

"These homes are not inspected," Elfering said. "Some of the conditions in these homes are atrocious."

Rep. Gary Kubly (DFL-Granite Falls) said the debate over the farmers' market goods reminded him of the dispute over hotdishes. In 2000, the Legislature voted to stop regulating food handling at public potlucks.

"I think we're straining over gnats here," Kubly said.

Kubly also called into question whether the food purchased at farmers' markets posed a greater risk than items ordered at a restaurant.

Elfering, in turn, said most of the major food-borne disease outbreaks investigated by the state have been linked to food prepared at private homes.

The bill now goes to the House floor.

Spending reduction plan

The House Agriculture and Rural Development Finance Committee approved a bill Feb. 14 that would trim \$3.5 million from agriculture programs for 2002 and 2003.

It also cuts \$3 million in agriculture spending the following two years.

Sponsored by Committee Chair Rep. Bob Ness (R-Dassel), HF3157 eliminates \$175,000 in annual state grants to agriculture information centers. The state's five centers provide farming communities with a number of resources, including financial advice.

"It's farmers helping farmers," said Garnette Hanson, who works at the Thief River Falls area agriculture center.

Testifying earlier in the week, Hanson called on the committee to safeguard the centers from budget cuts.

Rep. Doug Peterson (DFL-Madison) moved to strike the cut from the spending bill, but the motion failed.

Ness also proposed cutting a methane digester loan program, but the other members of the committee voted against the idea. The loan program subsidizes state farmers who purchase technology to use manure to produce electricity.

The committee approved a number of amendments to the bill, including a measure that calls on the University of Minnesota Extension Service to place less emphasis on "economic and human development and community programs" in favor of more traditional agriculture programs.

University officials have objected to the amendment, arguing it would limit the extension service's scope.

An amendment sponsored by Rep. Al Juhnke (DFL-Willmar) also was approved. It directs the commissioners of administration and agriculture to develop a plan to relocate administrative offices in the Twin Cities metropolitan area to Greater Minnesota. The amendment would not affect plans for the new St. Paul Public Health Laboratory building.

"Before we start another \$250 million construction project, we should look to see what we have out in rural Minnesota first," Juhnke said. "The tracks don't always run toward the Twin Cities."

Juhnke predicted that the cost savings from moving offices to rural Minnesota versus new construction would likely pay for the targeted spending cuts.

Kath Ouska, assistant commissioner with the Department of Administration, challenged the amendment. She said some construction projects in rural Minnesota have been more expensive than ones in the Twin Cities metropolitan area.

Some committee members said Greater Minnesota has a number of vacant state buildings that could be used to house administrative offices with minimal relocation costs.

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

★ ARTS

Auditorium planning

Slimming down the initial request, Rep. Tom Osthoff (DFL-St. Paul) is sponsoring a bill that would grant \$7 million to plan the new Roy Wilkins Auditorium instead of \$70 million for planning and construction.

Because of the current economic recession, Osthoff said he has decided to wait until 2004 to request funds for building the new auditorium in St. Paul. By then, he said a goal of \$38.5 million in private contributions should be in place, money that will fuel matching grants.

Osthoff presented his bill (HF2962) to the House Jobs and Economic Development Finance Committee Feb. 20. The committee will consider the proposal for inclusion in its omnibus bill.

Minnesota lost 17 conventions worth \$29 million in economic impact in 1999 and 2000, losses bill proponents say were due in part to the lack of first-class facilities at the Roy Wilkins Auditorium. Problems with the facility include asbestos insulation and no wheelchair access to bathrooms or the auditorium itself.

A new auditorium would fill a specific niche market, Osthoff said, attracting medium-sized shows, such as national Broadway

performances. It would not be in direct competition with other venues, like the Northrop Auditorium at the University of Minnesota's Minneapolis campus, or the Orpheum and State theaters in downtown Minneapolis, he said.

The new facility would be sandwiched between the Xcel Energy Center, RiverCentre, and the Ordway Theater. The Ordway already has a capital fundraising campaign for a new Roy Wilkins Auditorium, and plans to expand its educational shows in the exhibit space of the facility.

Dick Zehring, chair of the RiverCentre Board, said a new auditorium would bring in more than \$36 million in additional spending annually, and more than \$3 million in additional tax revenue.

A new Roy Wilkins Auditorium would feature:

- 6,000 theater-quality seats;
- high-tech audio/visual;
- video conferencing;
- wireless international language translation capabilities; and
- advanced security systems and crowd control systems.

★ BANKING

State credit union laws

A plan to bring laws governing state-chartered credit unions up to par with regulations for federally chartered credit unions has some banks concerned about slight regulatory differences and competition issues.

However, Rep. Doug Stang (R-Cold Spring), the sponsor of HF2751, said other states have passed legislation to match federal laws whenever possible. Stang also expressed concern

that state-chartered credit unions have slowly been leaving the state or converting to federally chartered credit unions, and will continue to do so unless Minnesota laws are changed, taking sales tax revenues with them.

"It is important for credit unions to continue to provide a real alternative in the financial marketplace," said Del Prevost of the Members Cooperative Credit Union. Prevost testified at the Feb. 14 meeting of the House Commerce, Jobs, and Economic Development Policy Committee, where nearly 100 people from Minnesota credit unions were present.

When a credit union goes from state-chartered status to being federally chartered, it no longer pays state sales tax. Prevost said he would rather be state-chartered because he prefers to work with the state Department of Commerce rather than the National Credit Union Administration in Austin, Texas.

Commerce Commissioner Jim Bernstein said he has no objections to the legislation.

Credit unions differ from banks in several ways. They are nonprofit organizations that are democratically operated, and require a common bond, such as place of employment, for membership.

Prevost said that while the credit union movement is strong, it is no threat to the banking industry.

"Banks dominate the market in every aspect," said Bill Raker of the U.S. Federal Credit Union.

And about Stang's proposal, Raker said, "It is modest, it is fair, it is common sense."

But bank representatives disagreed.

Joe Witt, an attorney for the Minnesota Bankers Association, said his organization's concerns lie with large credit unions, which are mostly federally chartered.

COMMITTEE CONFERENCE



PHOTO BY TOM OLMSCHIED

House Speaker Steve Sviggum, *right*, talks with Chas Anderson, advisor to the House Republican Caucus, as the budget resolution conference committee hears testimony from House and Senate committee fiscal analysts Feb. 20.

Witt said the common bond that credit unions require is defined too loosely and today the requirement is “virtually irrelevant,” which means any member of the general public can join.

Witt also pointed out that credit unions were formed under modest means, but now credit union members are earning higher-than-average incomes.

He also raised the issue that credit unions’ assets have grown substantially in the past number of years. However, when prompted by Committee Chair Rep. Greg Davids (R-Preston), he admitted that credit unions’ market share has not increased.

“Failing to pass this legislation will surely be the beginning of the end for state credit unions,” Raker said.

The committee approved the bill and sent it to the House Taxes Committee.

★ CHILDREN

Child-care safety

Jolene and Bill Devine of Mayer don’t want other families to be kept in the dark about the criminal backgrounds of child-care providers.

The Devines’ 5-month-old grandson, Isaiah Devine, died of Shaken Baby Syndrome last year while at a daycare in Victoria. Now the couple is pushing for a bill that would require licensed providers to develop procedures for reporting suspected child abuse.

HF2813, sponsored by Rep. Carol Molnau (R-Cologne), cleared the House Health and Human Services Policy Committee on Feb. 19. It now moves to the House floor.

Molnau said the bill “gives parents the opportunity to know there are resources available if they suspect something.”

It requires child-care providers to give parents the phone numbers of the local child protection agency and licensing agencies upon request.

In addition, the bill mandates that the state print the licensing agency phone number on the daycare program’s license, directing concerned parents to call for more information.

The Devines said Isaiah’s mother, Theresa Devine, only learned of the child-care provider’s criminal past, which included drug and domestic assault charges, after her son’s death.

“We thought a license would ensure safety,” said Jolene Devine.

Jerry Kerber, director of the licensing division of the Department of Human Services, said gross misdemeanors, including domestic assault charges, don’t always show up on criminal background screenings of providers

conducted at the Bureau of Criminal Apprehension.

Now reporting requirements have changed so that domestic assault charges are reported to the bureau, Kerber said.

Reps. Bill Haas (R-Champlin) and Luanne Koskinen (DFL-Coon Rapids) raised concerns that unlicensed daycare providers would be left unregulated. The bill only applies to licensed providers.

★ CONSUMERS

Wine bill stymied

Legislators again put a cork in a bill that would allow cities to decide whether grocery stores could sell wine.

The measure (HF1205) failed in the House Commerce, Jobs, and Economic Development Committee after being amended to give cities the ability to issue wine licenses to grocery stores, and to restrict the sale of bottles smaller than 750 milliliters to help prevent shoplifting.

The bill, which was left in limbo from last year’s session after being withdrawn from consideration by its sponsor, Rep. Barb Sykora

(R-Excelsior), was rejected Feb. 20 on a committee vote.

Sykora claimed customers want one-stop shopping.

“For them it just makes sense, and I agree,” she said.

In 2001, the plan would have allowed wine sales in grocery stores only located in the Twin Cities metropolitan area. This year, the bill was changed to include all grocery stores statewide.

The bill would mandate carding of all customers trying to purchase wine, training for identification screening, and grocery store compliance checks and theft prevention plans.

“We will handle this responsibly and professionally,” said Mary Kowalski of Kowalski’s Markets.

But opponents said they are skeptical of how grocery stores would comply with laws on liquor sales.

“We know grocers would try to be vigilant, however, exclusive liquor stores only deal with liquor and tobacco,” said Kenn Rockler, executive director of the Wine, Beer, and Spirits Federation. Statistics presented at the committee showed grocery stores failed compliance checks more often than liquor stores on a regular basis.

Opponents of the legislation claimed small liquor stores would take a hit, and some would eventually go out of business. But proponents said that floral shops, bakeries, and pharmacies, which exist in many grocery stores, still flourish in independent shops.

Supporters also contended that wine in grocery stores would generate additional revenues, helping raise wages in a sector that lags behind other retail industries.

Another concern of opponents was an increase of youth access to alcohol. Steve Jerman, a junior at Sobriety High School, used alcohol for four years and has been sober for 19 months. Wine was always easiest to obtain, he said, and this bill will make it more convenient.

“We don’t care what we get, just so we get it,” he said.



Robert Davenport, an employee at Rainbow Foods in Shoreview, listens to testimony during a hearing of the House Commerce, Jobs, and Economic Development Policy Committee Feb. 20. Davenport supports legislation that would allow the sale of wine in supermarkets.

★ CRIME

Public admissions of guilt

Those who take responsibility for a crime should be punished for doing so, the House Crime Prevention Committee decided Feb. 19.

The committee approved HF3048, which would make it a gross misdemeanor for people to assume responsibility for crimes of which they have not been convicted.

Rep. Tom Workman (R-Chanhassen), the bill sponsor, said the bill is aimed at groups such as the Earth Liberation Front. The group took credit for a January fire that caused millions of dollars worth of damage and destroyed a construction trailer at the University of Minnesota's Microbial and Plant Genomics Research Center under construction on the St. Paul campus.

According to its Web site, the Earth Liberation Front takes responsibility for "the setting of incendiary devices" at the university site, and claims responsibility for other criminal activities as well.

The bill was initially drafted to include people who promote or support criminal activity, but Peter Erlinder, a professor of constitutional law at William Mitchell College of Law, said such language would be considered unconstitutional.

It is a violation of citizens' First Amendment rights to make agreeing with a philosophy a crime, he said. Actions are the only thing that can be considered a crime, not beliefs, he added.

The committee deleted that portion of the bill.

Robert Elde, the university dean of the college of biological sciences, spoke in favor of the bill.

Aside from the actual cost of the destruction, the criminals responsible for the vandalism have damaged research projects and required the university to now have tighter security, he said.

The repeated incidents have also had a chilling effect on scientists looking at the university as a possible research site, an effect that was probably intended by the vandals, he said.

The bill now advances to the House Civil Law Committee.

Child-care enforcement

The state needs to do more to make sure people are not committing child-care assistance fraud, a House committee was told Feb. 18.

Rep. Bill Haas (R-Champlin) told the House Family and Early Childhood Education Finance Committee that there are parents and providers abusing the state's subsidized child-care system.

Parents who directly receive subsidy money occasionally keep the money without paying for child-care services, while some providers receive state money for children they are not really watching, he said.

Haas is sponsoring a bill (HF3086) designed to make it harder for people to commit fraud by requiring social security information from child-care providers and recipients.

The bill would also set up a task force to study the incidence and type of child-care fraud cases, review child-care assistance laws, and report its findings to the 2003 Legislature.

Marque Nelson, president-elect of the Minnesota Fraud Investigator's Association, said having the social security number of child-care providers would make it easier to track parents and providers who commit fraud.

Although the vast majority of child-care providers are honest, Nelson said the state is barely scratching the surface of child-care assistance fraud occurrences.

TAKING THE PLUNGE



PHOTO BY TOM OLMSCHIED

During a Feb. 20 hearing of the House Jobs and Economic Development Finance Committee, Remi Stone, representing the League of Minnesota Cities, peers around a decorated toilet plunger as she testifies for supplemental assistance for wastewater infrastructure.

One provider illegally received \$300,000 for allegedly caring for three children who no longer lived in the state, he said, and other providers received money for watching children while they were at work.

Cherie Kotilinek, children's services program supervisor with the Department of Children, Families and Learning, said the department does everything possible to eliminate fraud.

The department is willing to work to tighten up the system, she said, but the state shouldn't go overboard and spend more on fraud prevention than is lost through fraud.

The state has only set aside \$175,000 annually for child-care assistance fraud investigations, compared to more than \$2 million for other assistance programs such as welfare, Nelson said.

For every dollar the state spends on preventing child-care assistance fraud, it saves an average of \$4.62, Nelson said. Other programs, such as welfare, only save an average of \$3.47 per dollar spent, he said.

The committee approved the bill and sent it to the House Government Operations and Veteran's Affairs Policy Committee.

★ DEVELOPMENT

Redevelopment in Minneapolis

The city of Minneapolis is requesting \$12 million in bonds that would assist a federal initiative to improve public land and buildings in its poorest neighborhoods.

"This is one of the toughest redevelopment challenges in the state," said Minneapolis Mayor R.T. Rybak.

The mayor testified in support of HF2917 at the Feb. 20 hearing of the House Jobs and Economic Development Finance Committee. The bill is sponsored by Rep. Phyllis Kahn (DFL-Mpls).

"We're working with the hardest to employ and land that is the hardest to develop," said Rybak, who co-chairs the governance board that provides direction for the program.

Minneapolis was designated one of 15 urban Empowerment Zones by the federal government in January 1999. The zones are locally managed, with the program aimed at developing "healthy and sustainable communities ... through economic growth, affordable housing, education, job training, and community services," according to the city's literature.

"This is a very exciting partnership," said Rep. Karen Clark (DFL-Mpls).

The program has received nearly \$19 million in federal funding, and in the year 2000 received \$8.8 million from the state.

Projects funded through the Empowerment Zones initiative include an Agape Child Development Center, the Hawthorne Employer-Assisted Homesteading Program, and the Midtown YWCA Community and Urban Sports Center.

Projects that would be funded under the bill include:

- \$4 million for redevelopment on the city's north side, including the North-South Greenway;
- \$3 million for South East Minneapolis Industrial (SEMI) redevelopment;
- \$2.2 million for infrastructure and redevelopment for the Great Lakes Center at the intersection of Chicago Avenue and Lake Street; and
- \$1.8 million to acquire railroad rights-of-way, and to construct trails, retaining walls, and access ramps into the 29th Street Midtown Greenway.

Three geographic areas of the city make up the Empowerment Zones, which together measure 6.7 miles of land. The zones consist of just under 50,000 residents and 3,200 businesses.

"The land ... and people have tremendous potential," Rybak said.

The bill will be considered for inclusion in the committee's bonding recommendations.

★ EDUCATION

Mixed-gender wrestling teams

At Rep. Paul Marquart's (DFL-Dilworth) request, two high school wrestlers demonstrated a high-crotch takedown for members of the House Education Policy Committee Feb. 19.

Through several common wrestling moves, Burnsville seniors Ian Stoneberg and Tim Berceau showed the amount of physical contact that takes place during a match.

Rep. Sondra Erickson (R-Princeton) is sponsoring a bill that would require high school wrestling teams to be gender-separated. Stoneberg and Berceau testified that wrestling a girl is awkward and throws off their mental mindset when they are on the mat.

"Concerns have surfaced in recent years because wrestling is a contact sport," Erickson told the committee. There are a few all-girls wrestling teams in the state, but most girls that want to wrestle join the boy's team.

Some coaches or wrestlers can choose to forfeit a match against a girl, which in scoring is the equivalent of being pinned. Marquart, who supports the bill, said that as a wrestling coach he doesn't have his team members wrestle girls due to the bodily contact involved.

"We're not talking about ability, we're not

talking about girls not wrestling," Marquart said. "Wrestling is a close, intense, physical sport."

Abraham Olson, a junior at Trinity School in Bloomington, said he has been taught to respect women and their bodies, and the nature of the sport goes against what he has been taught.

"My mental mindset has to change completely" when he wrestles girls, Olson said. "I have to avoid the chest, the crotch. I cannot experience the match like I should."

Rep. Mary Jo McGuire (DFL-Falcon Heights) said she supports the quality of girl's athletics, but this bill may eliminate girls' options because schools don't have the money to fund another team.

According to the National Federation of State High School Associations, in 2001 there were nearly 900 girls wrestling teams across the country, representing more than 3,000 individual wrestlers.

The bill was approved by the committee and now goes to the House floor.

Create your own district

A plan being discussed in a House committee is asking Minnesotans to consider developing and arranging school districts by different criteria than the geographic standard the state now uses.

The bill, sponsored by Rep. Alice Seagren (R-Bloomington), would allow any Minnesotan's idea of what a district should look like to be considered before a legislative review committee for approval. She presented HF2984 before the House Education Policy Committee Feb. 14.

"The bill is very lacking in specifics," Seagren said, "but is totally thinking about if you could be king or queen for a day."

The concept came from the St. Paul-based Center for Policy Studies, whose representative, Ted Kolderie, said Minnesota's big gap in graduation rates and large number of minority students suggest to him an entirely new approach may be needed to create better schools.

"Improvement so far has been by changing the schools we already have," Kolderie said.

Seagren said she wants people to think beyond conventional wisdom about school district structure, with no preconceived agenda as to what a new school district would look like. Having targeted results would be optional, she said.

Among several provisions, HF2984 says that a non-geographic school district must:

- be a nonprofit entity;
- have a governing board comprised of Minnesota residents;
- have no geographic locus except to be located in the state; and
- provide a framework for the creation, supervision, and support of new learning environments and schools.



Tim Berceau gets pinned by Ian Stoneberg in front of the House Education Policy Committee Feb. 19. After testifying in support of a bill that would outlaw mixed-gender wrestling teams, the two Burnsville High School wrestlers demonstrated moves that would be considered improper off the mat. Watching the demonstration in back are Committee Chair Rep. Harry Mares, left, legislative assistant Rory Koch, center, and Rep. Mark Olson.

Committee members were skeptical of the vagueness of the plan.

A proposal could exclude students with disabilities, said Rep. Matt Entenza (DFL-St. Paul). "Why wouldn't we want to have protections that would include all kids ... (if we're) using taxpayers funds?" he asked.

"We wouldn't want to do anything that would be discriminating, but we want to give (free reign)," Seagren replied.

"Would school districts have levy authority? Referendums?" inquired Rep. Lyndon Carlson (DFL-Crystal). He also asked who would be able to vote, and if there would be collective bargaining. Seagren reassured it would be "all left up to the proposal and what it would entail."

All plans would be reviewed by a six-member legislative group, which would include two members each from the House and Senate. An amendment approved during the committee hearing would require any plan approved by the legislative committee to go before the entire Legislature for final approval.

The committee did not vote on the bill, and no recommendation was given.

Agriculture school plan

Officials of the Agricultural and Food Sciences Academy, an urban agribusiness high school, are requesting \$14 million in state bonds to construct a new building.

Since its opening in September 2001, the charter school has met in a temporary location in Little Canada. The bill, sponsored by Rep. Bob Ness (R-Dassel), would require an equal match of non-state funds.

HF2803 was presented to the House K-12 Education Finance Committee Feb. 20. It will be considered for inclusion in the committee's omnibus bill.

The academy, which specializes in forestry, agronomy, food science, and horticulture, is four years in the making. Forty-seven students are currently enrolled, with 97 more planning to come on board in fall 2002.

The proposed building would hold 600 students. Principal Brian Ingvalson said he plans for the school to grow one grade each year, and anticipates a waiting list down the road.

"We have a track record of high academic learning," Ingvalson said. The agribusiness community, which Ness estimates at 250 firms, is involved in the school in several ways, including providing financial support and internships.

The total price tag for the academy is \$31 million, with the new building costing \$21 million. The Minnesota State Fair has donated 7.5 acres of its land for the school, estimated at \$3 million.

Ingvalson said the school's students and teachers would be exhibitors at the state fair. The new building would have facilities for school projects in large and small animals, crops, plants, gardens, greenhouses, food processing, environmental education, and golf courses.

The school would also provide college preparation, a computer for every student, two world languages, Future Farmers of America (FFA), and extra-curricular activities.

The new building, which would have 127,000 square feet, would be finished in September 2004. The pre-design for construction has already been completed.

Designing better schools

To ensure proper and thorough design of new school buildings, Rep. Kathy Tingelstad (R-Andover) is sponsoring legislation that would create a high performance school facility grant program.

"This is an opportunity to change the way we're doing things," Tingelstad told the House K-12 Education Finance Committee Feb. 18.

School buildings across the state have problems that could have been prevented with better planning and design, Tingelstad claimed. As one example, she said a new building in Rush City has a leaking roof that is going to cost \$5 million to repair. Other schools only last 20 years due to health and safety issues.

"School districts will save money over time," said Joel Schurke, who specializes in real estate construction for the Intep architectural firm.

Tingelstad also said that some schools come back to the Legislature to clean up their problems.

The bill (HF2831) would appropriate \$2 million for two new and two major remodeling projects. Tingelstad said the money will help schools that may not be able to afford comprehensive planning for a high performance building.

While Rep. Jim Abeler (R-Anoka) commended Tingelstad for bringing forth the legislation, some committee members questioned the need for the allocation, wondering why the state wouldn't instead impose a mandate for solid planning and design.

The bill is "a little extra bonus for some architects," Rep. Bob Ness (R-Dassel) said, suggesting a better solution might be for legislation that would require the state's education department to screen architects.

Rep. Mark Buesgens (R-Jordan) said he didn't like the idea of using state funds to show that it takes money to pre-plan well. "Is it up to the state to mandate pre-planning?" he asked.

HF2831 will be considered for inclusion in the committee's omnibus bill.

★ EMPLOYMENT

Merging departments

The House Governmental Operations and Veterans Affairs Policy Committee approved a bill Feb. 15 that would establish a new agency to house the state's workforce and economic development programs.

Last session a law was passed transferring many of the Department of Economic Security's programs into the Department of Trade and Economic Development. As part of the law, a transition team was established to make recommendations on how best to structure the agency and its programs.

HF3151, sponsored by Rep. Bob Gunther (R-Fairmont), incorporates many of the transition team suggestions in establishing the new agency known as the Department of Workforce and Economic Development.

The bill states that part of the department's mission is to "increase the economic independence of Minnesotans with special effort toward those who are currently unemployed or who face special disadvantages in the labor market."

Sharon Mayo, representing the National Federation of the Blind, spoke against a provision in the bill that would move the State Services for the Blind program into the new department. That program is currently housed in the Department of Economic Security.

Mayo said she was concerned that if the program becomes part of a larger department with a focus on workforce issues, many current users of the services would likely not have their needs met. Mayo said that about 75 percent of the users are not seeking employment services, including the elderly.

Rep. Mark Gleason (DFL-Richfield) offered an unsuccessful amendment that would have moved the program into the Department of Administration. Although her organization would prefer the program being a stand-alone agency, Mayo said the Department of Administration was a better fit than the new department.

Morrie Anderson, who led the transition team, said the recommendation to place the State Services for the Blind was in part based on keeping like services and funding sources together. He said there would be an increased chance of "something falling through the cracks" if different agencies had to coordinate services.

Rep. Marty Seifert (R-Marshall) questioned the reason for combining departments since the bill would not eliminate any full-time positions.

Rebecca Yanisch, the commissioner of the Department of Trade and Economic Development, said the merger would save more than

\$2 million and that the plan is for a reduction in positions through attrition.

The bill now goes to the House Jobs and Economic Development Finance Committee.

★ ENVIRONMENT

Water monitoring

A fraction of the water bodies in the “Land of 10,000 Lakes” are watched for quality and Rep. Chris Gerlach (R-Apple Valley) said he would like to see a team of volunteers tackle the environmental task.

His bill (HF3275), which directs the Minnesota Pollution Control Agency (PCA) to encourage the development of a citizen water quality monitoring program, received a green light from the House Environment and Natural Resources Policy Committee Feb. 14. The bill now goes to the House floor.

“There are people out there who are ready to do the work,” said John Curry, legislative director of the Minnesota Center for Environmental Advocacy. “The bottom line is this — Minnesota lakes and waterways need to be monitored.”

Rachel Hopper, representing the Izaak Walton League, a national conservation and outdoor recreation advocacy group, said “too little is known about our water bodies.”

Water quality assessment is mandated by the Clean Water Act, she noted, adding that only about 5 percent of the state’s 9,200 river and stream miles are monitored. As for lakes, the state collects water quality data on 225 out of 15,000.

Gerlach said many people in the state are “eager and ready to go” on the project. He pointed to similar efforts in other states where more than 17,000 people have volunteered in Iowa, and 39,000 people have signed up for “stream teams” in Missouri.

He said the project would save the state money by avoiding additional state employees for the work.

Lisa Thorvig, assistant commissioner of the Pollution Control Agency, said the project would not require funding from the agency. The PCA would be called on to provide technical assistance to the volunteers, state guidelines for gathering data on the water, and to include the data into the agency’s overall water quality monitoring efforts.

Committee Chair Rep. Dennis Ozment (R-Rosemount) said the project isn’t meant to be “investigatory in nature,” but rather to provide Minnesotans with more information about the condition of the state’s waters.

Hopper said the project “really puts the power in the hands of the citizens.”

★ GAME & FISH

Limit law change

The House Environment and Natural Resources Policy Committee approved a bill Feb. 19 that would stiffen penalties for individuals who violate the state’s fish and game limit laws.

Under HF94, sponsored by Rep. Bill Haas (R-Champlin), an enforcement officer would be directed to seize motor vehicles used to transport big game animals hunted illegally.

Further, officers would be required to seize boats and trailers used by fishers who illegally net fish on Lake of the Woods, Rainy Lake, Lake Superior, Namakan Lake, and Sand Point Lake.

Officers would be authorized to seize boats, motors, and trailers when they are used to transport wild animals valued more than \$500. The individuals involved would also lose their fishing or hunting license.

The bill assigns a dollar value to game based on type and size. For example, a yellow perch of least 10 inches in length is \$10, a canvasback is \$100, and a trumpeter swan is \$1,000.

For those who take more wild animals than allowed for in state law, and they are valued at more than \$1,000, the individual would be charged with a gross misdemeanor.



Frank Scheider, from the Minnesota Sports Fishing Congress and Muskies, Inc., testifies Feb. 19 before the House Environment and Natural Resources Policy Committee in support of a bill that establishes criminal penalties for fish and game law gross overlimit violations.

For a fisher or hunter who takes animals with a restitution value at \$5,000 or higher, his or her license would be revoked for at least five years. Further, the same limit would apply to individuals who take wild game worth more than \$500 within 10 years of earlier license violations.

Persons cited for violating fish and game laws would be allowed to appeal their case to the commissioner of the Department of Natural Resources or the district court administrator in the county where the incident occurred.

The bill failed on the House floor by a vote of 38 to 95 in 2001. After the vote, it was returned to the committee for reconsideration.

The bill now goes to the House floor.

★ GOVERNMENT

Unicameral plan moves ahead

Voters would be allowed to decide if the Legislature should have one house instead of two, under a measure heard by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 15.

The committee referred the bill to the House State Government Finance Committee without recommendation.

During his 14 years as a representative, Rep. Ron Abrams (R-Minnetonka), sponsor of the bill (HF2764), said the House has had floor debate on a multitude of issues including stadiums, abortion, and domestic partnership benefits, but it has not discussed the unicameral issue.

“At the very least the people should find out where their elective officials are on this issue,” he said.

The bill would put a constitutional amendment question on this year’s general election ballot that would propose replacing the House and Senate with a 134-member unicameral legislature beginning in 2007.

Legislators would be elected to four-year terms, under the proposal.

Abrams said there have been a number of significant changes to the structure of the executive and judicial branches of government since Minnesota became a state. For example, the original state constitution had voters elect both the governor and lieutenant governor separately.

Unlike the other branches, he said the Legislature has never changed its core structure that was established in the original constitution.

Nancy Witta, legislative coordinator for the Minnesota League of Women Voters, said the organization opposes the bill because a unicameral legislature does not provide the

proper checks and balances of the current system, and would allow less citizen input.

Rep. Mark Gleason (DFL-Richfield) offered a successful amendment that would require the secretary of state to provide a voter's guide that summarizes the issues impartially for voters.

Abrams spoke against the amendment because of additional costs it would add during a time of a budget deficit.

Rep. Phyllis Kahn (DFL-Mpls) said she was "appalled" that Abrams would want to put the issue before the voters, but didn't want to ensure they were fully informed on the issue.

She offered an unsuccessful amendment that would establish a parliamentary system that would eliminate the constitutional offices. The Legislature would appoint the governor who would then appoint the secretary of state, auditor, and attorney general.

Abrams said that countries throughout the world, such as Israel, were moving away from parliamentary systems.

Full financial disclosure

Members of the State Board of Investment would be required to disclose more of their own financial information, under a measure approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 15.

The board, which consists of the governor, attorney general, state auditor, secretary of state, and state treasurer, is responsible for administering and directing the investment of state funds and pension funds.

HF1025, sponsored by Rep. Matt Entenza (DFL-St. Paul), would require board members to disclose any contract or other arrangement under which the member will perform services for compensation as a consultant, employee, or independent contractor for a person or entity other than the state.

The bill would require that the disclosure be made before the member begins to perform the services, or within 30 days after the member agrees to perform the services, whichever is sooner.

Entenza said that increased disclosure for a board that is responsible for "billions and billions" of state funds is a good idea.

A similar proposal was included in the state government finance omnibus bill that passed the House during the 2001 special session but the provision was removed during conference committee negotiations. Entenza said the governor's office expressed concern with the provision.

Rep. Bill Hilty (DFL-Finlayson) asked Entenza why it was important that the amount of the compensation be disclosed.

Entenza said the amount would allow people to decide how big an issue the compensation was and that a larger amount would probably lead to more speculation about a potential conflict of interest.

Rep. Mark Gleason (DFL-Richfield) said the additional disclosure would not apply to compensation of a member who forms a corporation that provides consulting services. He said nothing in the bill would require that corporate compensation be disclosed, and that exception "is a loophole you could drive a truck through."

Although the bill was not perfect, Entenza said it was an improvement over current law. The bill now goes to the House floor.

HIGHER EDUCATION



MnSCU project requests

Officials from the Minnesota State Colleges and Universities are requesting more than \$268 million worth of bonding this session for projects that would affect all 53 of their campuses.

The Senate concurred with all that MnSCU is requesting, but Gov. Jesse Ventura is recommending only about \$135 million.

On Feb. 15 and Feb. 18, members of the House Higher Education Finance Committee gathered information to be used as the committee puts together its bonding request.

Atop the list is money for a new food building at Southwest State University in Marshall. The previous one burned down Jan. 2. Al Johnson, MnSCU associate vice chancellor for facilities, said officials can't be sure they will get the full replacement costs from insurance companies, but they should.

"The insurance company will decide the value and then we will negotiate if we don't agree," he said.

Chancellor James McCormick said the second priority for the MnSCU system is \$100 million in regular maintenance funds for roof replacements, major mechanical and infrastructure projects, safety upgrades, and space restoration. The governor is recommending \$35 million.

The roof replacements would use one-third of the request. Johnson said the system has adopted higher performance standards meaning the new roofs will have a 40-year life expectancy, versus the 20-year expectancy of industry standard roofs.

The remainder of the money has been allocated on a priority basis to 25 projects.

The next projects, based on priority, are:
•\$9.9 million to remodel a science building at Normandale Community College;

- \$9 million to create a one-stop student services center at Minneapolis Community and Technical College;
- \$17.44 million for a library and information access center at Metropolitan State University;
- \$9.15 million for a computer technology laboratory and classroom building at Alexandria Technical College;
- \$30 million for a new science building at Winona State University;
- \$18.96 million for a new science building at Minnesota State University, Moorhead;
- \$1.9 million for science laboratory renovations at six campuses; and
- \$19.5 million for land acquisition, including \$17.5 million for the current home of the Billy Graham Evangelical Association. The group announced a plan to leave its headquarters adjacent to Minneapolis Community and Technical College in the next few years.

HUMAN SERVICES



Statute change

The so-called "County Poor Law," which directs counties to levy taxes for cash assistance programs, is a Minnesota statute many consider outdated. It was established in 1937.

Since the state administers welfare programs, such as the Minnesota Family Investment Program (MFIP), county officials argue they shouldn't be left vulnerable to potential lawsuits from those seeking aid from the county.

The House Health and Human Services Policy Committee approved a bill Feb. 19 that clarifies state law and the county's role in administering welfare programs. It's next stop is the House floor.

Sponsored by Rep. Kevin Goodno (R-Moorhead), HF3258 states that counties would not be required to provide income support if the individual doesn't qualify for state welfare programs.

Maureen Bellis, representing Anoka County, said county officials would still have the flexibility to provide financial support to lower income residents. However, under the bill they couldn't be forced to issue cash assistance.

Mary Zannmiller, representing the Affirmative Options Coalition, a statewide group focused on welfare reform and economic security issues, said the bill would repeal the "last vestige of a safety net" for the poor.

Goodno dismissed Zannmiller's claim and asserted that the bill merely clarifies existing state law.

Rep. Thomas Huntley (DFL-Duluth) said the "County Poor Law" reflects a period in the

state's history when a county was the only unit of government that levied taxes. As a result, county officials had the ability to provide assistance to the poor.

Now that responsibility has shifted to the state.

Federal and state governments took over most of the responsibility of administering assistance to the poor with the passage of the Social Security Act in 1935.

Counties paid a portion of Social Security until 1989 when Minnesota took over the entire non-federal share of the General Assistance and Minnesota Family Investment programs, according to a legislative history prepared by the Metropolitan Inter-County Association.

★ INSURANCE

Clarifying liability law

Every word can be important when crafting a law. On a 126-2 vote, the House passed a bill Feb. 18 that demonstrates the point.

HF2783, sponsored by Rep. Greg Davids (R-Preston), clarifies state law dealing with automobile liability coverage.

Davids said that the bill is a result of a situation where a 16-year-old driver borrowed a neighbor's car with permission and was involved in an accident. The driver did not have insurance, but Davids said that usually the driver would have been covered by her parent's liability coverage.

Current law states that in such an incident the insurance company would be required to pay damages arising out of the ownership, maintenance, or use of "a" motor vehicle.

Two lower district courts agreed that the insurance company was obligated to pay the damages, under current law. But the state Supreme Court overturned the lower courts' rulings and said the statute was vague.

Davids said that in its majority opinion the court stated the Legislature could clarify its intent by using the word "any" instead of "a." "In my opinion 'a' vehicle would mean 'any' vehicle," he said.

The bill changes the statute to read "any" and also further clarifies intent by adding a clause that states "including a motor vehicle permissively operated by an insured."

The bill awaits action on the Senate floor.

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

LONG DAY



PHOTO BY TOM OLMSCHIED

Jennifer Larson, 5, puts her head on the shoulder of her father, Rep. Dan Larson, as he listens to a question from a member of the House Transportation Policy Committee Feb. 19. His bill would cancel the license of school bus drivers convicted of a gross misdemeanor or have a serious violation that shows the person represents a risk to the public safety.

★ LAW

Temporary licenses

A plan to grant temporary driver's licenses to people who have lost their licenses because they are behind in their child support payments was approved by the House Civil Law Committee Feb. 20.

HF3393, sponsored by Rep. Lynda Boudreau (R-Faribault), would allow non-custodial parents a one-time 90-day temporary driver's license if they meet certain requirements.

The bill would allow a license to be given if the person's income depends on the license; they need it to attend a chemical dependency treatment program; the health, education, or nutritional needs of the person's family depends upon the license; or it is needed to get to and from a post-secondary school.

Under current law, the state can take away the driver's licenses of non-custodial parents who are behind in child support payments equal to or greater than three times their monthly support payments, and who are not in compliance with a payment agreement.

Boudreau said the bill makes sense because the state can't collect child support payments from people who can't work because they don't have a license.

"I believe we are going to collect more in child support," she said at the bill's first hearing Feb. 18.

Other committee members didn't like the idea of making exceptions to a law that has

worked well in getting people to make their payments.

Rep. James Clark (R-New Ulm) said the bill would just give people another 90 days to put off paying what they owe.

"I thought license suspension was one of the most effective tools in bringing obligors to the table," he said. "Is this 90 days just further stalling?"

Rep. Wes Skoglund (DFL-Mpls) agreed. In many child support cases, the loss of the driver's license was the one thing that finally got people to pay up, he said.

The committee approved the bill. It now goes to the House Transportation Policy Committee.

★ MILITARY

Federal benefits

Minnesota military personnel would receive the benefits from a 1940 federal act for state active duty, under a measure approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 20.

HF3274, sponsored by Rep. Greg Blaine (R-Little Falls), would align the state statute to conform with a law known as the Soldiers and Sailors Relief Act of 1940.

That act provides protections for military personnel including reduced interest rates on mortgage payments and credit card debt, protection from eviction, and temporary suspension of certain civil court proceedings such as bankruptcy, foreclosure, and divorce.

Col. Dennis Lord, executive director of the state Department of Military Affairs, said the state's National Guard members were activated by President George W. Bush to provide security at the airport following the events of Sept. 11. Even though they were called to duty by the president, Lord said members were called under Title 32 that designates the service as federally funded state active service.

Lord said that had the members been called up under Title 10, the federal active service provision, they would have qualified for the benefits. But because the service was designated under Title 32, the benefits did not apply.

Lord said that a number of states, including Wisconsin, Ohio, and Florida, have already adopted similar legislation.

Rep. Jim Rhodes (R-St. Louis Park), the committee chair, called the proposal a "great bill." Rhodes said that many of the state's military personnel are "living on the edge" and the bill would provide relief from having to worry about daily issues, such as dealing with creditors and other financial concerns while on duty.

The bill would be retroactive to Sept. 11, 2001 so personnel would qualify for benefits during their entire term of service.

The bill now goes to the House floor.

Updating justice code

The state's code of military justice would be made to more closely mirror the federal code under a measure approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 15.

The bill now goes to the House Crime Prevention Committee.

HF3221, sponsored by Rep. Rob Eastlund (R-Isanti), would delete obsolete statutory language and clarify and update language and terms.

Judge Advocate Gen. John Brossart, a lieutenant colonel in the Minnesota National Guard, said most of the current law was adopted in 1963 and amendments were passed in 1974 and 1986. Eastlund's bill would bring the state code more into conformity with the federal Uniform Code of Military Justice.

Much of the committee's discussion centered on changing definitions in the bill that members said were too broad.

Rep. Bill Hilty (DFL-Finlayson) said one such change was the proposal to replace the word "enemy" with "hostile group or body" from the chapter of law dealing with aiding the enemy.

He said one could interpret the term "hostile group or body" to mean somebody who disagreed with, or did not like, the military or action it has taken.

Brossart said the provision only applied to a person who was in the military and their actions while in service.

But Rep. Loren Solberg (DFL-Bovey) disagreed, saying the way the provision is currently written made a more broad interpretation possible.

"It's in the eyes of the beholder whether someone is hostile or not," Solberg said.

Eastlund said he would work with Hilty and others to address the concern.

Rep. Marty Seifert (R-Marshall) offered a successful amendment to delete a section relating to disorderly conduct. The bill would define that conduct in part to a person who "engages in offensive, obscene, indecent, abusive, boisterous, or noisy conduct."

Seifert said that his friends in the military often times use language that might be considered offensive and the bill would make those people subject to a court martial.

RECREATION



Twins plans still at bat

Two stadium bills for the Minnesota Twins held on for another day in the House during the Jobs and Economic Development Committee hearing Feb. 18.

The first proposal, sponsored by Rep. Tom Osthoff (DFL-St. Paul), would use state-issued general obligation bonds to fund a ballpark in St. Paul. To repay the bonds, the state would authorize the city of St. Paul to impose a 3 percent citywide tax on retail sales of food, entertainment, and liquor, as well as charge an additional fee on tickets.

Proponents of Osthoff's bill (HF2789) said the success of the Xcel Energy Center is evidence a stadium would be great for the capital city.

"This successful arena has brought new vibrancy to St. Paul," said Jaye Rykunyk, principal officer of the Hotel and Restaurant Employees Local 17.

She testified along with several St. Paul restaurant owners in support of the 3 percent food and beverage tax.

Rykunyk, whose union represents hospitality workers, including those at the Xcel Energy Center, said the average total payroll for food and beverage workers every Twins season is currently \$3.5 million in the Metrodome. In a new ballpark that number would likely rise to \$8 million annually, with \$2 million in benefits. The potential employment is 1,000 workers, which would all be union jobs, plus 25 to 30 management positions.

Dick Anfang, president of the Minnesota Building Trades, said a new stadium would provide 600 construction jobs over two to two-and-a-half years.

Another St. Paul stadium bill, sponsored by Rep. Michael Paymar (DFL-St. Paul), would require state-issued revenue bonds to finance a portion of the cost of a baseball park.

(The different between general obligation bonds and revenue bonds is the funding source for debt service, i.e. the interest and principal on money borrowed. General obligation bond debt service usually comes from the general fund, but technically it is backed by a state or municipality's taxing power. Revenue bond debt service comes from a specific



Amy Fletcher of St. Paul tells the House Jobs and Economic Development Finance Committee Feb. 18 how much her family enjoys the Twins, and that she supports St. Paul's effort to build a ballpark in the city.

revenue source, such as payment of fees.)

Under Paymar's bill, the bonds would be repaid by a number of sources, including an additional sales tax on food and beverages at the stadium, an additional fee on tickets, sale of the park's naming rights, media outlet fees, and a \$2 vehicle parking surcharge.

Paymar's bill would call for a stadium village, creating a district of retail and commercial businesses, mixed-income housing, and educational and recreational community facilities.

Neither bill has a specific site within St. Paul.

The committee approved both bills. HF2789 now goes to the House Capital Investment Committee, and HF3433 goes to the House Taxes Committee.

Football stadium falters

The House Governmental Operations and Veterans Affairs Policy Committee voted 15-5 against a proposal Feb. 18 that would provide a state appropriation of \$160 million in general obligation bonds towards a football stadium for the Minnesota Vikings and the University of Minnesota.

HF3423, sponsored by Rep. Kevin Goodno (R-Moorhead), was before the committee because the bill would establish a public non-profit corporation to construct and operate the stadium.

Rep. Len Biernat (DFL-Mpls) made an unsuccessful motion to table the bill because he said the committee and the Legislature as a whole had more pressing issues to deal with.

Even though the Vikings have a number of years left on their Metrodome lease, Goodno said it is important to address the issue now. He said the National Football League's loan program ends next year and it is unlikely that the Vikings would continue a willingness to contribute to the project if they continue to lose money. He said it would take five years for the stadium to be ready once a bill is approved.

Goodno said that in addition to the state general obligation bonds, the bill requires that the Vikings contribute \$100 million, the NFL \$51.5 million, and the University of Minnesota provide the land for the stadium and a 4,000-space parking ramp.

The corporation established in the bill would have had a three-member board of directors appointed by the governor. Under the proposal the Vikings and the University would submit a list of potential board members for two of the appointments. The governor would choose the third member from a list of three candidates submitted by the first two appointees.

Rep. Bill Hilty (DFL-Finlayson) expressed concern that the three-member board provided marginal representation.

Rep. Phyllis Kahn (DFL-Mpls) said the stadium would likely be located within her district and neighborhood groups should have representation on the board.

The committee adopted an amendment expanding the board to five members and removed the requirement that the Vikings and Gopher representatives approve a third member.

Rep. Philip Krinkie (R-Shoreview) said the establishment of the corporation further reduced the need for the Metropolitan Sports Facilities Commission. Krinkie said the Target Center in Minneapolis and the Xcel Energy Center in St. Paul are both run separately.

"To create another entity to operate the football stadium, so there is further fragmentation is a terrible way for the state to be involved," he said.

★ RETIREMENT

LTV pension concerns

A resolution claiming laid off LTV steel mining workers were given "virtually no notice" of the termination of their pension plan awaits Gov. Jesse Ventura's signature.

CHAMBER MUSIC



PHOTO BY BECKY EKSTAM

As part of Arts Advocacy Day at the State Capitol, the Feb. 19 House floor session opened with "America the Beautiful" sung by Carlos Archuleta of the Minnesota Opera.

The resolution states that the Minnesota Legislature urges the pension corporation to delay terminating the LTV Steel Mining Pension Plan until March 2003 in order to enable the employees of LTV and the state "to study possible alternatives to a Pension Benefit Guaranty Corporation distressed termination."

The pension corporation gave plan participants 45 days notice of its intention to terminate the pension plan, based on their analysis that the plan is no longer fully funded, according to the resolution.

"This is too much for any person or area to bear," said Rep. Tom Rukavina (DFL-Virginia) on the House floor Feb. 18. He said the former workers could lose up to 50 percent of their pension.

About 3,500 Minnesotans are either collecting or are eligible for a fully funded pension.

The LTV mining plant in Hoyt Lakes shut down in August 2000, and went bankrupt in February 2001.

The resolution is sponsored by Rep. Tom Bakk (DFL-Cook) in the House, and Sen. David Tomassoni (DFL-Chisholm) in the Senate.

The measure it passed the House 119-0 on Feb. 18 and the Senate by a vote of 64-0 on Feb. 14.

HF3411/SF3207*

★ TAXES

Break to quit smoking

Those seeking to quit smoking would receive a tax break, under a proposal heard by the Sales and Income Tax Division of the House Taxes Committee Feb. 20.

Sponsored by Rep. Andy Westerberg (R-Blaine), HF3050 would provide a sales tax exemption on devices approved by the Federal Drug Administration to assist individuals in refraining from the use of tobacco. Those devices include such items as nicotine patches, inhalers, and gum.

Chris Tholkes, director of tobacco control of the American Lung Association of Minnesota, said that 20 percent of adults in the state are smokers. Forty percent try to kick the habit, but only 10 percent of those succeed. She said the average smoker attempts to stop smoking five to seven times before they are successful.

Tholkes said that smokers wishing to quit usually spend \$4 to \$18 per day on cessation devices, while buying a pack of cigarettes costs around \$3.50. She said the sales tax exemption would narrow the gap between the costs.

Currently many HMOs cover one year of the costs for medication to help people stop smoking, she said.

Corinne Ertz, representing the American Cancer Society, said that 5,600 Minnesotans die every year from tobacco use. She said the health care costs associated, including lost productivity, total about \$2.64 billion per year.

Jeanne Weigum, a volunteer for the Association for Nonsmokers, said the sales tax exemption would send a "powerful public health message" by the state that the costs to society from tobacco use is too high.

Westerberg said that he has heard no opposition to the bill.

The Department of Revenue estimates that the bill would cost \$670,000 in 2003, \$750,000 in 2004 and \$770,000 in 2005. The estimate is based on nationwide sales of cessation products that totaled \$606 million in 2001.

Rep. Elaine Harder (R-Jackson), the division chair, said the bill would be considered for possible inclusion in an omnibus tax bill, should there be one this year.

Border city exemptions

Over the years the Legislature has enacted a variety of different measures meant to help certain Minnesota cities compete with neighboring cities across the border in North Dakota and South Dakota.

This year, a bill (HF2715), sponsored by Rep. Kevin Goodno (R-Moorhead), would provide certain property and sales tax exemptions for residents in the cities of Breckenridge, Dilworth, East Grand Forks, Moorhead, and Ortonville.

The House Taxes Committee Property Tax Division heard the bill Feb. 18, and the committee will consider it for possible inclusion in an omnibus tax bill.

Under the measure, the five statutory cities along with other cities in the same counties would be allowed to grant a two-year property tax exemption for newly constructed homes and apartments.

The bill would also grant a sales and use tax exemption on the gross receipts from the sale of materials used to construct the housing.

Scott Hutchins, director of the Community and Economic Development Department with the city of Moorhead, said that in the last five years the city has "lagged far behind Fargo" in new home construction. He said that while Moorhead continues to lose population Fargo and West Fargo continue to grow.

Goodno said that North Dakota residents actually pay more property taxes than their Minnesota counterparts on a similar home. But he said the North Dakota cities offer a property tax exemption for new construction and the bill would address that inequity.

Rep. Ann Lenczewski (DFL-Bloomington) said under the state's existing tax abatement

laws the city of Moorhead could grant the property tax exemptions by a city council resolution without the bill.

However, the existing law would require similar resolutions from the county and the school district in order to abate all property taxes. Goodno said the bill would cover all jurisdictions.

Because there may or may not be an omnibus tax bill this session, Rep. Ron Abrams (R-Minnetonka) said, the city may wish to work with the county and the school district to achieve the exemption that would be established in the bill.

Hutchins said a good working relationship exists between the parties and he would pursue an agreement with all three involved.

Paper filing requested

During the past few years the Department of Revenue has upgraded its computer systems in order to move towards more electronic filing of tax forms. Since the beginning of July 2001, sales tax filers have had no choice but to file electronically or via telephone.

The Sales and Income Tax Division of the House Taxes Committee heard a bill Feb. 20 that would allow people who file quarterly or annual sales tax returns the option of filing paper returns. The bill would only apply to filers with average tax liabilities of less than \$500 per month.

Rep. Al Juhnke (DFL-Willmar), the sponsor of HF2777, said the issue was brought to him by a constituent. Juhnke said many people in rural areas of the state do not have computers or do not have computers capable of filing the returns. He said filing over the telephone can also be problematic as some people still have rotary phones.

"All this says is 'Let us mail in our forms like we've always done,'" Juhnke said.

Rep. Elaine Harder (R-Jackson), the division chair, said the bill was a good idea as she has heard from several small business owners in her district who have complained about the change to electronic filing.

"We need to provide some flexibility for these people," she said.

Jack Mansun, an assistant to the commissioner for the Department of Revenue, said the goal of electronic filing is to provide more efficiency in the system. He said that by reducing paper filing, data entry mistakes are also reduced.

Mansun said that while the department no longer provides paper sales tax return forms, taxpayers are still allowed to pay with a check and paper payment voucher.

He said a number of people have

complained about not being able to access the system, but the system was available 95 percent of the time in December 2001 and 96 percent of the time in January 2002.

"For a lot of people, it's really working well," Mansun said.

The bill will be considered for possible inclusion in a potential omnibus tax bill.

★ TRANSPORTATION

Running red lights

Motorcyclists could legally run red lights when they are not detected by traffic signals, under a plan approved by the House Transportation Policy Committee Feb. 18.

The bill is not an anarchy measure, but addresses a real problem, explained committee chair and bill sponsor Rep. Tom Workman (R-Chanhassen).

Workman, who owns a motorcycle, said the bill is needed because motorcycles are not big enough to trip the sensors used in most traffic signals.

Ray Egan, executive director of Minnesota Motorcycle Rider's Association, said motorcyclists often sit through four or five light cycles without getting a green light. Often this leads the motorcyclist to become frustrated and run the light illegally, he said.

If another car pulls up behind the motorcycle, the sensor would detect it and the light would change, Egan said. But late at night or in less populated areas, motorcyclists could have to wait a long time for another car, he said.

Only traffic signals made within the last 12 to 15 months are sophisticated enough to detect motorcycles, Egan said. The only other option to solve the problem would be to upgrade every traffic signal older than 15 months, he added.

HF3226 would allow motorcyclists to legally run the red light if they have come to a complete stop and waited "a reasonable amount of time" for the light to change. They could then proceed through the light if it were safe to do so.

Maj. Gene Halverson of the Minnesota State Patrol expressed concern with the vagueness of the time limit.

"Unreasonable' is pretty unenforceable," he said.

However, Halverson agreed the problem is a legitimate one.

"There may be a need for this kind of bill," he said. "We're a little nervous about it, but we're not going to oppose it."

The committee briefly debated adding bicyclists to the bill as well, but Workman decided to wait and consider that option in the House Crime Prevention Committee, where the bill will next be heard.

Curtailing expenses

Legislation would shave \$100 million from projected spending on consultants

By THERESA STAHL

Rep. Barb Goodwin (DFL-Columbia Heights) has a problem with the state's practice of hiring outside consultants.

If you ask, she'll tell you that 2002 marks the 17th year Gary Grosland has consulted with the state on its Medicaid system.

She'll also mention a \$3.7 million contracted food and nutrition Web site, and point out that much larger and more complicated sites of the same quality have been created for much less money.

Goodwin has had people's attention on an issue she's been questioning for 10 years. And now she's got a bill.

The first-term member is sponsoring HF2752, which would require the governor to reduce consultant spending by \$100 million during the current biennium.

"This is taxpayers' money and it's being misused," she told the House State Government Finance Committee Feb. 14.

The state has estimated it will spend \$865 million on consultants this biennium. This represents a 63 percent increase in four years.

Under the bill, the governor could pull consultant spending from state agencies, including health and human services, transportation, natural resources, and education.

HF2752 would also place a moratorium on offices in the executive, legislative, and judicial branch from entering into new or existing contracts for professional or technical services. The committee adopted an amendment that would permit departments to apply for a waiver of the moratorium.

Some state agencies rely heavily on consultants, which makes Goodwin's bill a possible threat to much anticipated work.

"If we did not have the ability to contract it would unravel our entire program," said Howard Bickner, executive director of the Minnesota State Board of Investment.

"The bill would be devastating to MnDOT (Minnesota Department of Transportation)," said Richard Stehr, director of program support for the department. "The moratorium

will bring construction programs way down. We will not be able to deliver those projects."

Stehr said MnDOT is a "technically-oriented organization" that relies on consultants for specialized expertise, research, and short-term projects. He said it is irresponsible to hire an employee for two to three years only to lay them off. Training for employees to perform the work usually completed by consultants would take three to five years in some cases, he added.

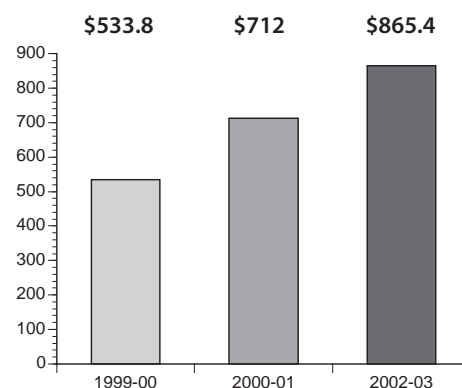
"The use of consultants in the department is not accidental," confirmed Elwyn Tinklenberg, commissioner of MnDOT.

"It's a good tool to hire agencies for short-term projects," Goodwin said. But a rapid increase in the number of consultants the state has hired is due to a lack of control, she said.

Rep. Harry Mares (R-White Bear Lake) asked whether contracts for full- or part-time contracted professors in the Minnesota State College and Universities (MnSCU) system would be included under the bill. It is not clear whether MnSCU falls under purview of the bill, according to the nonpartisan House Research department.

The bill would clean up the definition of a state employee by requiring a contract to establish boundaries of an employment relationship. Goodwin told committee members

State spending for consultants*



*Department of Finance estimates as of January 2001.

Agencies Using Consulting Contracts

Agency	Percent of total - 2002-03*
Transportation	40
Investment Board	13.3
Human Services	11
MnSCU	5.6
Corrections	5.1
Trial Courts	4.8
Pollution Control	3.6
Supreme Court	3.1
Natural Resources	3.5
Economic Security	2
Health	2
Children, Families and Learning	1.8
Higher Education Services	1.8
Revenue	1.7
Employee Relations	1.5
Economic Development	1
Commerce	1
Administration	1
Public Safety	1
Agriculture	less than 1
Finance	less than 1
Constitutional Officers	less than 1
All others	6.9

*Department of Finance estimates as of January 2001.

some contractors, such as Grosland, have their offices in state buildings and use state equipment, such as computers.

Attempts to reach Grosland for comment were unsuccessful.

Goodwin said many of the projects contracted by the state could be completed by state employees at the same quality for a much lower price.

"State employees have the full ability, capabilities, and energy to get the job done," said Jim Monroe, executive director of the Minnesota Association of Professional Employees. The bill would not be "a draconian cut for any agency," he said.

Studies have shown the state pays contracted engineers two to three times more for the same outcome than if they had used a state-employed engineer, according to Glen West, who represents the Minnesota Engineers Council.

Further, West said that consulting firms are sometimes hired to monitor the outcome of consulting firms. He said he hears engineers

Continued on page 23

Fighting for funds

Numerous health and human service agencies ask that funding not to be trimmed as House pursues options for budget cuts

Editor's Note: House and Senate leadership announced a budget deal had been negotiated late in the afternoon Feb. 19. The resulting legislation was accelerated through the process, containing information that encompasses all funding areas of state government, potentially making separate omnibus funding bills unnecessary. However, given the possibility that the governor may veto the plan and there may not be enough votes to override any veto in both the House and the Senate, we have decided to include stories about initial budget conversations that have taken place in House committees.

We have also determined that including the testimony about budget cuts is valuable to understanding the issues involved. We hope readers find this information useful.

BY SARAH MCKENZIE

Representatives of the state's nonprofit organizations, health care groups, and local governments mounted an aggressive effort to dissuade members of the House Health and Human Services Finance Committee from slashing funding for their respective programs.

The committee had planned to vote Feb. 22 on a supplemental budget bill that had a target of \$175 million in spending reductions for health and human services programs. However, House and Senate leaders brokered a deal Feb. 19 that largely trumps earlier plans to shore up the \$1.95 billion budget shortfall projected for 2002-03.

Under the new budget agreement, health and human services spending would be cut by about 3 percent, or \$96 million.

Omnibus budget bills must clear committees by March 8.

Committee Chair Rep. Kevin Goodno (R-Moorhead) had laid out \$300 million in savings options for the public Feb. 15, providing the public with a week to mull over the proposals and sign up to testify. More than 80 people did.

Goodno continued with the hearings despite the new budget agreement, cautioning that the new deal might not be veto-proof. Additional spending cuts might be warranted, he said, if a revised economic forecast due out



PHOTO BY TOM OLMSCHEID

Amanda Vala of Plymouth, who is autistic, testifies Feb. 18 before the House Health and Human Services Finance Committee against cuts in medical assistance for autism programs. More than 80 groups and individuals signed up to testify against possible cuts for health and human services functions. No cuts for the autism programs were initially recommended.

before the end of February proves more dismal than the forecast issued last December.

The committee presented more than 20 different savings plans to the public, including repealing an expansion of a children's health insurance plan dubbed "Cover All Kids" and cutting the state's General Assistance Medical Care program, which subsidizes medical care costs for lower income Minnesotans who don't qualify for Medicaid or state health care programs.

Under the new budget agreement, those programs would be spared from cuts.

At the Feb. 18 hearing, Goodno rebuffed criticism that the committee had been unduly harsh in laying out cost-savings options,

pointing out that state spending on health and human services rose 18 percent last year.

However, those who testified in opposition to the committee's proposed bill argued that the cuts would disproportionately hurt the state's senior citizens and children covered by state health insurance plans.

Liz Kuoppala, a policy advocate with the Minnesota Coalition for the Homeless, called the earlier \$175 million reduction target unfair and pressed the committee to reject it. "We already struggle everyday with the pennies we have to make ends meet."

"There will be impacts and there will be consequences," said Marcia Avner, public policy director of the Minnesota Council of Nonprofits. "Cutting grants doesn't make government smaller. It makes communities weaker."

Some testifiers also urged the committee to reject recommendations made by the governor.

Sue Abderholden, executive director of the National Alliance for the Mentally Ill in Minnesota, said the governor's recommendation to cut grants distributed for mental health services by 5 percent would force more patients on the waiting lists for care.

"We're already operating on a lean budget," Abderholden said, adding the state's comprehensive mental health care programs have just begun to evolve. "To cut back now would mean turning back."

Those grants wouldn't face cuts under the House-Senate budget agreement.

Throughout the first hearing, Rep. Fran Bradley (R-Rochester) asked testifiers to identify other possible savings options in their respective programs, but few did.

"We have some belt tightening to do," he said. "This needs to be a specific dialogue."

Dawn Wells, who represented the Minnesota Hospital and Healthcare Partnership at the Feb. 18 hearing, said the governor's proposed hospital payment cuts would trigger a loss of \$30 million in matching federal dollars.

The governor has proposed reducing the state's Medicaid payment to state hospitals by 1 percent, which translates to a \$25 million payment reduction for fiscal years 2003, 2004, and 2005, according to the partnership.

Coupled with the loss of a \$25 million federal matching grant, the state's hospitals would lose \$50 million under Ventura's recommendation, Wells said.

Continued on page 23

Holding the line

Criminal justice agency representatives recognize the need for cuts but fight to keep them from running too deep

Editor's Note: House and Senate leadership announced a budget deal had been negotiated late in the afternoon Feb. 19. The resulting legislation was accelerated through the process, containing information that encompasses all funding areas of state government, potentially making separate omnibus funding bills unnecessary. However, given the possibility that the governor may veto the plan and there may not be enough votes to override any veto in both the House and the Senate, we have decided to include stories about initial budget conversations that have taken place in House committees.

We have also determined that including the testimony about budget cuts is valuable to understanding the issues involved. We hope readers find this information useful.

By MICHELLE KIBIGER

A House committee has recommended trimming about \$35 million from the budgets of the state agencies overseeing corrections, public safety, and the courts in light of a projected \$1.95 billion shortfall for fiscal years 2002-03.

The bill (HF3395), sponsored by Rep. Rich Stanek (R-Maple Grove), reflects a combination of spending cuts and balance transfers to the state's general fund.

The House Judiciary Finance Committee approved the bill Feb. 15, though not unanimously. It now moves to the House Ways and Means Committee.

Stanek, the committee chair, acknowledged how difficult the process of determining what to cut was for committee members.

Gov. Jesse Ventura had recommended cuts of about \$35 million for 2002-03, including revenue adjustments, and projected cuts of about \$53 million in 2004-05.

When evaluating the cuts included in the House proposal as a percentage of a department's budget, the state Department of Public Safety would lose the biggest chunk — about 4.3 percent of the department's \$172 million biennial budget.

More than half of the cuts to the agency come from the Center for Crime Victims Ser-

vices and the grants those programs disseminate. Commissioner Charlie Weaver said the cuts may not allow center staff to perform site visits and make sure organizations are complying with the terms of their grants.

He also said some cuts will be absorbed by other parts of the agency, because grant funds have already been awarded.

Domestic violence shelter per diem reimbursement would be cut by \$1.8 million for the biennium. The shelters were granted an extra \$2 million by the 2001 Legislature due to shortfalls shelter officials projected.

The bill would require shelters to report funds they have in reserve, as well.

Another concern for the department are cuts to the State Fire Marshal's office. Fire Marshal Tom Brace testified the cuts would result in elimination of licensed day care inspections because that is the only duty the office performs not ordered by state law.

The office began inspecting in-home and large-facility day cares applying for certification a few years ago under a pilot program that has since expired. Brace said he would have to eliminate nearly two positions with the cuts, and his staff could not cover inspections for approximately 2,500 day care centers that open each year.

Cuts for the other agencies range from 1.5 percent to 2.5 percent of their total budgets.

Officials from Department of Corrections warned the committee that the proposed cuts could undermine public safety in its institutions.

The department initiated \$18 million in cuts from its 2002-03 budget in an effort to reduce per diem costs per inmate, which have been among the highest in the nation for the past several years. Among cost-cutting measures, the department has eliminated nearly 200 officer and administrative positions, largely through attrition.

Deputy Commissioner Dennis Benson estimated that at least another 100 positions would have to be cut to achieve proposed cuts of \$8.2 million at the institutions.

"We can't go any further without putting these young men and women who get up every morning and crawl into a uniform ... in harm's way," Benson said. "It's irresponsible for this agency to stand by and allow what is poor (management of resources)."

The bill also proposes adjustments in juvenile placement grants, extended juvenile justice grants, restorative justice programs, and other programs targeted to reduce recidivism.

Commissioner Sheryl Ramstad-Hvass objected to cuts in research services, saying that the move will hamper the department's ability to produce measurable results requested by the Legislature.

Under the bill, two agencies — the Ombudsman for Corrections and the Ombudsman for Crime Victims — would be eliminated, and the duties transferred into the Department of Corrections and the Department of Public Safety.

Officials from the ombudsman offices expressed concern that moving them into other agencies will not give the offices the necessary resources to investigate grievances from inmates and crime victims.


David Larson, current ombudsman for corrections, said the Legislature should establish a framework for investigating complaints. In addition, he said many complaints the office investigates would likely become lawsuits that could be averted if the office were in place.

Officials also expressed concern that the transfers would undermine their credibility, because they would be expected to investigate officers within their own departments.

Laura Goodman-Brown, crime victims ombudsman, also expressed concern that the duties would be transferred to the Public Safety Department without any funds to perform investigations.

"(The move) cannot in any way improve services to victims of this state," she said.

The bill also calls expenditures for the Auto Theft Prevention Board to be capped at \$1.7 million per year and the remaining \$1.3 million to be transferred to the general fund. Other surcharges would also be transferred to the general fund, under the bill.

Though the Legislature has not appropriated any money for the state agency budgets in 2004-05, the proposed plan would anticipate cutting about \$70 million total from the agencies' base budgets in those years. 

Payment overdue

Plan would establish a program for nonpaying taxpayers that would waive penalties and interest owed on delinquent taxes

By DAVID MAEDA

According to the Department of Revenue the state absorbs a loss of approximately \$300 million every year in unpaid or delinquent taxes. That amount costs each Minnesotan around \$62 in increased taxes or reduced public services.

As part of the 2001 omnibus tax law the department was given authority to publish the names and addresses of individuals and businesses who had the largest unpaid tax liabilities in an effort to encourage them to remit taxes owed.

Department officials told the House Taxes Committee Feb. 19 that the 270 taxpayers were notified of the department's intention to post their names on the Web site. Names were published last November, and 25 businesses and 103 individuals are currently listed on the site.



FILE PHOTO

Commissioner of Revenue Matt Smith testified before the House Taxes Committee Feb. 19, where he expressed mixed reaction to a plan granting amnesty to delinquent taxpayers.

Since November, 25 taxpayers have paid \$419,000 out of a total of \$1.17 million owed.

The program is due to expire June 30, but as part of its policy bill (HF3191) the department has proposed extending the program for another year.

The committee heard a more encompassing proposal (HF2666), sponsored by Rep. Dan Dorman (R-Albert Lea), that would es-

tablish an amnesty program for nonpaying taxpayers that would waive penalties and in some instances, interest owed on delinquent taxes. It would run for three months beginning Aug. 1.

Dorman said the bill's intent wasn't to "thumb our noses at the criminal system" but rather to accelerate revenues due the state.

The concept was used during the state's budget difficulties in 1984 and has been adopted by a number of other states and with revenue collection in the private sector.

In his own tire business, Dorman said he'll sometimes work with customers who are delinquent on their bill and waive any interest or penalties in order to collect expenses "I may not otherwise get."

"When you get out of the realm of state government, this is done quite often," he said.

The program would exclude taxpayers if they have a civil fraud penalty or have failed to file a return and have received a written notice of non-filing.

Qualifiers would be required to have an unpaid tax on the department's accounts receivable system as of Feb. 1, or have not filed a return that would be considered delinquent as of that date, or have underreported taxes owed.

The amount of reduction would vary depending upon the criteria the taxpayer meets.

If the taxpayer is on the department's accounts receivable system as of Feb. 1 all penalties and some interest would be discounted. If filing an amended return all penalties and some interest would be discounted. For non-filers all penalties would be discounted but no interest.

The department estimates that approximately 6,500 debtors would use the amnesty opportunity to file taxes.

Rep. Ron Abrams (R-Minnetonka), the committee chair, said the long term advantage would be having the taxpayers in the system and identifying them for the department, meaning the taxpayer is more likely to pay taxes on an ongoing basis.

Revenue Commissioner Matt Smith expressed mixed feelings about the proposal.

"We welcome the attention to the task of getting better compliance with the tax laws we already have," he said.

But he said the broad amnesty could undermine ongoing criminal investigations, as well as the public's perception that the state should be going after those who do not pay taxes. He said at times the department will have investigations where no notice is given to the taxpayer that they are being investigated because "sometimes it may not result in anything."

Smith said research shows that while collection of the revenue may be accelerated, the overall total collected may not be that much more.


Dick Gebhart, the department's research director, said the 1984 program brought in around \$12 million but there has been no research conducted to determine whether that revenue would have eventually been collected.

For the program to be effective, Smith said the department would have to spend around \$800,000 on a public relations effort that would include contracting a professional agency to get the word out and buying airtime to advertise the message.

John Kingrey, representing the Minnesota County Attorneys Association, spoke against the bill, saying, "The proposal sends an unintended message that tax fraud is not really a serious crime."

He said the penalty exemptions in the bill would create problems for cases that are being prosecuted. He said a defendant could argue that it is unfair to single them out while others with similar cases are granted amnesty.

Dorman said the situation was similar to the existing practice of plea bargain arrangements that lead to different outcomes for similar crimes. He said that he has seen no evidence from the 1984 program or what is occurring in other states to support concerns that the amnesty period would lead to people paying taxes to avoid criminal prosecutions.

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

Pay at the pump

Plan would raise gas taxes and change distribution of motor vehicle sales tax revenue

By LISA HILTON

Drivers would be forking over more money for gas in a few years under a plan being considered in the House to raise the state gas tax by 3.5 cents.

HF2939 proposes to increase the tax from 20 cents to 22 cents on July 1, 2003, and then to 23.5 cents one year later.

Rep. Tom Workman (R-Chanhassen), the bill sponsor and chair of the committee, told members of the House Transportation Policy Committee Feb. 19 that the bill is needed to generate new money for transit and roads.

Aside from the gas tax increase, the plan also proposes a change to the state constitution that would dedicate all revenue collected from the vehicle sales tax to transportation functions after June 30, 2004.

That would take about 45 percent of the motor vehicle sales tax, or about \$250 million to \$300 million, out of the general fund and dedicate it to transportation funding.

As with all changes to the constitution, the plan calls for a question to be placed on the general election ballot for voters to approve or deny the proposal.

Workman's bill would also allow the state

to sell \$500 million in general obligation bonds and \$750 million in trunk highway bonds, with the money used to fund transportation projects.

The \$500 million would go to the state Department of Transportation as \$100 million per year for fiscal years 2003 through 2007. That money would pay for public transit capital costs, local bridges, right-of-way acquisition, and other projects.

The \$750 million from the trunk highway fund would be given to the department as \$150 million per year over the same time period, and would be used for congestion reduction and road repair.

Workman said the time for an increase in the gas tax has come. The bill has broad support, he said, noting that he has not received any complaints from his constituents, who almost unanimously oppose new taxes.

The 3.5 cent increase is "very reasonable," Workman said, adding that the bill also has bipartisan support.

But Rep. Ted Winter (DFL-Fulda) criticized the plan, saying it takes \$250 million out of the general fund without replacing it.

"Is this just someone else's problem?" he asked.

He said the plan is similar to Gov. Jesse Ventura's plan that cut license tab fees without replacing the money from other sources, leaving transportation funds wanting.

Spending money the state doesn't have also places a burden on taxpayers in the future, Winter said.

He suggested the state raise the gas tax by 5 cents if it

is going to raise it. "We should pay for the cost of the project if we're going to do it."

But Workman said he doesn't foresee a time when the state will be able to pay cash for transportation projects.

Several members of the business community testified in favor of the plan, saying transportation is critical to economic development.

Jim Wafler, president of the Highway Construction Industry Council, said improved transportation would benefit businesses by stimulating the economy, reducing congestion, and adding jobs.

And although drivers would pay more at the pump, they would also save money because the state would be able to clear up congestion and handle other transportation problems, Wafler said.

According to the Minnesota Transportation Coalition, the average Twin Cities metropolitan area driver spends 35 hours and more than \$600 a year in lost time in traffic jams. By comparison, the increased gas tax would cost the average driver about \$37.50 per year, he said.

Since interest rates are so low, now is also a good time to bond for the money, Wafler said.

Although some business representatives felt the bill should have been different, Carolyn Jones, director of transportation policy with the Minnesota Chamber of Commerce, said the bill was one the chamber felt both Democrats and Republicans could support.

Ron Lifson, general manager of Liberty Diversified Industries Fibres, said improved transportation would save his company millions of dollars each year. His company makes and markets paper, plastics, and other materials in Minnesota.

About 1,700 truckloads of material are shipped from the company's Becker facility alone, Lifson said. If each truck has to sit for an hour in traffic, that is \$1.2 million per year in lost operating costs and 200,000 wasted gallons of fuel, he said.

The state should approach transportation funding as homeowners consider their mortgage, Lifson said. It is a continuous but necessary payment, he said.

Workman said the final form of the bill is still uncertain, noting that there are still many issues that need to be debated.

The committee referred the bill without recommendation to the House Transportation Finance Committee.



PHOTO BY TOM OLMSCHIED

Jim Wafler, center right, president of the Highway Construction Industry Council, testifies in support of a bill that would increase the gas tax and would modify highway funding during a Feb. 19 hearing of the House Transportation Policy Committee. Others testifying for the bill include Dennis Eagan of the Rochester Chamber of Commerce, left, Carolyn Jones, center left, director of transportation policy with the Minnesota Chamber of Commerce, and Ron Lifson, general manager of LDI Fibres, right.

Continued from page 4

receives \$800,000 from the natural resources fund in 2002 and \$850,000 in 2003, but the general fund appropriation is cut by \$5.38 million in 2003.

Gov. Ventura recommended \$25.5 million in total general fund reductions for 2002-03.

Family, early childhood education

The bulk of the \$4 million in cuts would come in the area of child care funding with a \$3.5 million reduction in the basic sliding fee general fund appropriation. Gov. Ventura had recommended \$7.1 million in total cuts.

The bill would also remove a requirement that the Department of Children, Families and Learning hire a state Adult Basic Education director in 2002.

Health and human services

The Department of Human Services would see a \$8.9 million reduction in 2003 and a \$4.8 million cut in 2004-05. Included in the cuts would be a one-time administration reduction of \$4.1 million and a cut to the agency's base of \$3.4 million.

Rep. Kevin Goodno (R-Moorhead), chair of the House Health and Human Services Finance Committee, said the cuts were made trying to minimize the effects on the state's most vulnerable people. But Goodno said such cuts were difficult because most of the programs in the area deal in some way with those individuals.

The regional treatment centers in Willmar and Fergus Falls would continue to operate, but the bill states that it is the intention of the Legislature to downsize the Fergus Falls center.

Gov. Ventura had recommended total cuts of \$110 million in 2002-03.

Higher education

The chair of the House Higher Education Finance Committee, Rep. Peggy Leppik (R-Golden Valley), said that in deciding what areas to cut, efforts were made to reduce the impact on students, including trying to minimize potential tuition increases.

The University of Minnesota would receive a reduction of \$23.6 million in 2003 while MnSCU institutions receive a \$22.6 million cut this biennium. The governor would have cut higher education by \$70 million for the biennium. For the next biennium, the university would see a reduction of \$25.9 million each year and MnSCU a \$24.4 million reduction annually.

The Higher Education Services Office would see a \$3.6 million cut this biennium.

Judiciary

There would be a \$26.3 million reduction in the areas of corrections, public safety and the courts. The governor proposed cuts of \$35 million for those areas.

Stanek, the chair of the House Judiciary Finance Committee, said cuts were made keeping in mind that "public safety is a core function of government."

Adult correctional institutions would see a \$6.9 million cut while community services programs would be reduced by \$7.9 million during the biennium.

K-12 education

K-12 appropriations would be cut \$15 million in the current biennium and \$30 million in the next biennium. Gov. Ventura recommended \$100 million in cuts to K-12 education for 2002-03.

The Department of Children, Families and Learning would see a \$6.6 million reduction to its budget in the current biennium.

Other cuts include a \$1.3 million reduction to the teacher alternative compensation pool, a \$1 million cut in the appropriation for school evaluation services, and a \$750,000 reduction for the Perpich Center for Arts Education.

State government

The constitutional officers, state agencies, boards, commissions, and Legislature would see a \$41.9 million cut, under the plan.

The Department of Revenue would take the biggest hit, a reduction of \$14 million from its budget. The governor's budget would be reduced \$1.1 million this biennium, and the Legislature's budget would see a \$2.2 million reduction.


Governor's recommendations for state government cuts were \$53.2 million.

Transportation

Transportation funding would be reduced by \$4 million under the bill. The measure incorporates a governor's recommendation to reduce the Metropolitan Council's transit administrative base budget by \$600,000.

Rep. Carol Molnau (R-Cologne), chair of the House Transportation Finance Committee, said the cut may be made up by reduced bus routes on underused routes or through increased fares.

The bill would reduce Capitol Security executive protection by \$175,000 and reduce the Driver and Vehicle Services budget by \$200,000, with a provision prohibiting closing driver exam stations in Greater Minnesota.

The governor had initially recommended total cuts of \$232 million for transportation in 2002-03. However, that included converting \$245 million from cash to bonds, a proposal which the conference committee did not deal with in its bill. 

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saying they're constantly having to re-do projects, which takes extra time and often causes delay.

Rep. Phyllis Kahn (DFL-Mpls) said she questions oversight of consultants from the Department of Administration, as well as internal advertising for consulting projects. Kahn said she will later have an amendment that would bring competition into the selection process.

"It's not a competitive process for the most part," Goodwin said.

Rep. Sondra Erickson (R-Princeton) asked if an increase in the need for consultants had been examined with more money going to a growing number of state projects. Goodwin admitted that the issue of how government growth reflects consultant contracts needs attention.

The bill would require the legislative auditor to submit to the Legislature a review of contracting practices by major state departments. The report would include compliance with the law, length of contracts, and average hourly costs for contractors compared with costs of using state employees.

The committee did not act on the bill but may consider it for inclusion in any omnibus bill it forwards to the full House. 

Minnesota State Agencies

(Area code 651)

Administration	296-6013
Agriculture	297-2200
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3644
Employee Relations	297-1184
Job Information	296-2616
Finance	296-5900
Health	215-5803
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	296-6117
Labor and Industry	296-6107
Military Affairs	282-4662
Natural Resources	296-6157
Pollution Control Agency	296-6300
Public Safety	296-6642
Driver and Vehicle Services ...	296-6911
Fire Marshal	215-0500
Alcohol and Gambling Enforcement Division	296-6979
State Patrol	297-3935
Public Service	296-5120
Revenue	
Taxpayer Assistance	296-3781
Toll Free	1-800-652-9094
Trade and	
Economic Development	297-1291
Office of Tourism	296-5029
Transportation	296-3000
Veterans Affairs	296-2562
State Information	296-6013

The governor's plan also recommends a 1 percent cut in the MinnesotaCare hospital reimbursement rate, resulting in a \$10 million reduction in state funding and \$5 million cut in federal payments.

The House and Senate budget agreement would reduce the reimbursement rates by 0.5 percent.


Wells, an administrator at St. James Health Services, said the cuts would exacerbate the financial problems faced by many Minnesota hospitals.

The current level of funding from the government doesn't meet provider costs, she said, prompting some hospitals to close doors — a trend that has limited options for some in Greater Minnesota.

Dakota County Commissioner Joe Harris, chairman of the Metropolitan Inter-County Association, said counties might be left paying for a larger portion of health and human services if state funding dries up for mandated programs.

"When you take a piece here and a piece there — there is a domino effect," Harris said at a Feb. 20 hearing.

In response, Rep. Jim Abeler (R-Anoka) pressed Harris to present the committee with a list of funding priorities.

He said counties have asked the state to "hit us in the shoulder, not the heart," but Abeler said county officials haven't been more specific about their needs. 

What's on the Web

Mailing lists, member pages

Members of the House of Representatives are utilizing more Web-based resources to reach constituents.

Both the DFL and Republican caucuses have Web sites containing information about members and House events. The pages include news from the caucus, specific members' views on issues, photos, and event listings.

Individuals can also sign up for e-mail newsletters, now being maintained by more than 50 members.

Access the Web sites at the following links: **www.house.mn/gop** and **www.house.mn/dfl**

There are also still a number of nonpartisan House resources located on the Web site.



Demonstrating how absorbed lawmakers have been in crafting a solution, Sen. Doug Johnson (DFL-Tower) expressed a desire to move the conference committee hearing on the House-Senate budget agreement along on Feb. 20 so he could get home in time to watch his favorite night of television, including *The West Wing* and *Law and Order*.

However, the senator seemed unaware that those programs have been preempted by the Olympic games in Salt Lake City.

At the start of the Feb. 18 House Jobs and Economic Development Finance Committee last week, Chair Rep. Dan McElroy (R-Burnsville) jokingly asked current St. Paul Mayor and former state representative and senator Randy Kelly how he would like to be addressed.

"You've been demoted to mayor," McElroy said, with a grin.

"As a former House member, we should treat him with respect," said Rep. Tom Osthoff (DFL-St. Paul), whose bill Kelly was there to support.

"Should I call you 'representative?'" McElroy asked.

"Call him anything you want, just vote for the bill," Osthoff replied.

First deadline past

The first committee deadline for the 2002 legislative session has passed, as of the end of the day Feb. 22. All bills in the House must have passed through the necessary House policy committees by that deadline. The same is true in the Senate.

Bills can still be forwarded from those committees, but the bill sponsors must appeal to the House Rules and Legislative Administration Committee to vary from the deadline schedule.

The next deadline, March 1, affects House bills in Senate policy committees and Senate bills in House policy committees. Those bills must be approved and sent to the next step by that date.

The final deadline for all omnibus finance bills to be out of committees in both houses is March 8. Exceptions to these rules include committees governing taxes and capital investment.

Thursday, February 14**HF3434—Rhodes (R)**
**Commerce, Jobs &
Economic Development**

Responsible lending act of 2002 adopted enacting restrictions on certain home loans.

HF3435—Lenczewski (DFL)
**Local Government &
Metropolitan Affairs**

Hennepin County design-build contracts provided.

HF3436—Rukavina (DFL)
**Commerce, Jobs &
Economic Development Policy**

Minimum wage increased.

HF3437—Johnson, R. (DFL)
Higher Education Finance

South Central Technical College projects funding provided, bonds issued, and money appropriated.

HF3438—Gunter (R)
**Environment & Natural
Resources Finance**

Blue Earth County Rapidan dam renovation funding provided, bonds issued, and money appropriated.

HF3439—Gunter (R)
Judiciary Finance

Fairmont County juvenile temporary holdover facility grant provided, and money appropriated.

HF3440—Workman (R)
Transportation Policy

Utility facilities relocation and new installation regulated relating to construction projects in highway right-of-way.

HF3441—Krinkie (R)
State Government Finance

Budget submission and revenue forecast deadlines modified.

HF3442—Hausman (DFL)
Transportation Policy

Highway mobility account established for improvement projects and bus transit projects, fuel tax imposed, and bus service fund use restrictions repealed.

HF3443—Juhnke (DFL)
Civil Law

Nonprofit environmental learning center defined as municipality for purposes of tort claims.

HF3444—McElroy (R)
**Jobs & Economic
Development Finance**

Jobs and economic development programs appropriations modified, funds transferred, and money appropriated.

HF3445—Wagenius (DFL)
**Commerce, Jobs &
Economic Development Policy**

Neighborhood organization election, voting rights, and meeting notice options provided.

HF3446—Abeler (R)**Jobs & Economic
Development Finance**

Livable communities grant program funding provided, bonds issued, and money appropriated.

HF3447—Knoblach (R)
**Commerce, Jobs &
Economic Development Policy**

Housing and real property benefit data classified.

HF3448—Dempsey (R)
Crime Prevention

Assault of a school official inflicting bodily harm felony penalty provided.

HF3449—Swenson (R)
Agriculture Policy

Livestock, poultry, or wild deer pathogen introduction or threatened introduction prohibited; civil action created; and criminal penalties imposed.

HF3450—Mulder (R)
Taxes

Wind energy conversion systems property tax exemption provided for systems installed after Jan. 1, 2002; and production tax imposed.

HF3451—Holsten (R)
**Environment & Natural
Resources Finance**

School air quality; indoor real time air quality monitors pilot project funding provided, bonds issued, and money appropriated.

HF3452—Paulsen (R)
**Environment & Natural
Resources Finance**

State park and recreation area improvements, restoration, and acquisition funding provided; bonds issued; and money appropriated.

HF3453—Knoblach (R)
**Jobs & Economic
Development Finance**

St. Cloud Civic Center grant provided, bonds issued, and money appropriated.

HF3454—Lenczewski (DFL)
Taxes

Local government aid city aid base reduced as aid appropriations increase.

HF3455—Leighton (DFL)
Civil Law

Marital agreement act adopted.

HF3456—Davnie (DFL)
Education Policy

Sexually transmitted diseases education program provision modified.

HF3457—Rhodes (R)
Transportation Policy

Selective service system registration required for driver's license issuance.

HF3458—Blaine (R)
**Environment & Natural
Resources Finance**

Little Falls; Hennepin Paper Company property environmental cleanup bonds issued, and money appropriated.

HF3459—Osskopp (R)
Regulated Industries

911 calls in multi-line telephone systems practices prohibited and training required.

HF3460—Kuisle (R)
Taxes

Aggregate materials and concrete block delivery charges taxed, and contract transition language provided.

HF3461—Workman (R)
Transportation Policy

Recreational vehicle trail or bikeway establishment limitation provided.

HF3462—Mulder (R)
**Commerce, Jobs &
Economic Development Policy**

Funeral trust account provisions modified.

HF3463—Osthoff (DFL)
Transportation Finance

St. Paul; Snelling bus garage funding provided, bonds issued, and money appropriated.

HF3464—McElroy (R)
**Commerce, Jobs &
Economic Development Policy**

Money transmitter act small business category created and regulations modified.

HF3465—Erickson (R)
Education Policy

Open enrollment student athletic activity participation restricted for one school year.

HF3466—Entenza (DFL)
K-12 Education Finance

Health and safety program broadened to include school safety costs associated with counselors and support workers.

HF3467—Entenza (DFL)
**Local Government &
Metropolitan Affairs**

St. Paul library agency created, and proposed property tax notices modified.

HF3468—Stang (R)
**Commerce, Jobs &
Economic Development Policy**

Liquor sales exempted from on-sale hours restrictions in certain instances.

HF3469—Erickson (R)
Education Policy

School district advisory committee members provided an opportunity to testify before school board votes on committee recommendations.

HF3470—Erickson (R)
**Environment & Natural
Resources Policy**

Garrison-Kathio-West Mille Lacs sanitary district state funding requirements provided.

HF3471—Holberg (R)
Civil Law

Sexual harassment definition clarified.

HF3472—Entenza (DFL)
**Commerce, Jobs &
Economic Development Policy**

Fire insurance policy amount collectible regulated.

HF3473—Bradley (R)

Health & Human Services Policy
Medical education funds distributed.

HF3474—Anderson, I. (DFL)
**Governmental Operations &
Veterans Affairs Policy**

Retirement; pre-1973 retirement benefit change authorized reversing 2001 conversion from lump-sum payment to monthly benefit increase.

HF3475—Entenza (DFL)
**Commerce, Jobs &
Economic Development Policy**

Antitrust case alternative civil penalty provided.

HF3476—Anderson, I. (DFL)
Taxes

Levy limit base calculation modified.

HF3477—Wagenius (DFL)**Agriculture Policy**

Bottled water manufacturers specific source and health information required.

HF3478—Walker (DFL)**Health & Human Services Policy**

Foster care rate defined, relative custody assistance payment rate and adoption assistance rate modified, and money appropriated.

Monday, February 18

HF3479—Abeler (R)**Health & Human Services Policy**

Medical assistance prepayment demonstration project limitation of choice provision modified.

HF3480—Abeler (R)**Taxes**

Market value growth limited on all property, new improvements market value phased-in, current limited market value phase-out repealed, and limited market value made permanent.

HF3481—Walker (DFL)**Health & Human Services Policy**

County human services emergency financial assistance time period extended.

HF3482—Huntley (DFL)**Commerce, Jobs & Economic Development Policy**

Tanning facilities parental consent required prior to initial exposure.

HF3483—Vandevor (R)**Local Government & Metropolitan Affairs**

Advertising; local restrictions authorized on outdoor advertising in zoned commercial or industrial areas.

HF3484—Rhodes (R)**Commerce, Jobs & Economic Development Policy**

Payday loans regulation modified relating to consumer small loans.

HF3485—Schumacher (DFL)**Transportation Policy**

Seasonal fruit and vegetable business signs allowed in state highway right-of-way.

HF3486—Clark, J. (R)**Crime Prevention**

Criminal sexual conduct crimes first through fourth degree minimum sentences specified.

HF3487—Davnier (DFL)**Education Policy**

Violence, discrimination, intimidation, and harassment against youth elimination task force established.

HF3488—Kelliher (DFL)**Environment & Natural Resources Policy**

Pesticide use regulation clarified and increased, fees increased, records classified as public data, pollutant definition expanded, groundwater monitoring increased, and task force established.

HF3489—Dawkins (DFL)**Civil Law**

Child protection proceedings; child's rights and status as a party clarified.

HF3490—Mullery (DFL)**Transportation Policy**

Parked vehicles required to be parallel with curb.

HF3491—Mullery (DFL)**Local Government & Metropolitan Affairs**

Housing replacement district maximum parcels increased for specified cities.

HF3492—Davids (R)**Commerce, Jobs & Economic Development Policy**

Joint underwriting association procedures modified to include avoidance of grave risk.

HF3493—Abeler (R)**Commerce, Jobs & Economic Development Policy**

Acupuncture insurance coverage required under specified policies, claim determinations provided, and reporting required.

HF3494—Stanek (R)**Crime Prevention**

Guilty but mentally ill plea and verdict provided.

HF3495—Winter (DFL)**Local Government & Metropolitan Affairs**

Nobles County auditor-treasurer and recorder appointment provided.

HF3496—Lenczewski (DFL)**Governmental Operations & Veterans Affairs Policy**

Casino; state-operated or state-licensed gambling facility prohibited in a city which has adopted a resolution of disapproval.

HF3497—Davids (R)**Commerce, Jobs & Economic Development Policy**

Insurance fraud prevention division established within the department of commerce; chiropractic license revocation grounds provided, financial interest disclosure required, arbitration removal provided, and money appropriated.

HF3498—Harder (R)**Regulated Industries**

Telecommunications competition promoted, structural separations required, public utilities commission transaction approval provided, and completion of structural separation required by a date certain.

HF3499—Entenza (DFL)**Local Government & Metropolitan Affairs**

St. Paul civil service separation retroactive effective date established.

HF3500—Kuisle (R)**Transportation Policy**

Towing and recovery vehicle operator certification required.

HF3501—Gunther (R)**K-12 Education Finance**

Independent School District No. 2071, Lake Crystal-Wellcome Memorial, debt service equalization program equalizing factor increased.

HF3502—Gunther (R)**K-12 Education Finance**

Debt service equalization program equalizing factor increased.

HF3503—Daggett (R)**Taxes**

Bakery goods including bread, and other foods, specifically exempted from the prepared foods sales tax.

HF3504—Goodno (R)**Health & Human Services Policy**

Human services hearing procedures established.

HF3505—Marko (DFL)**Commerce, Jobs & Economic Development Policy**

Body piercing services parental consent required, and misdemeanor penalty provided.

HF3506—Ozment (R)**Environment & Natural Resources Policy**

State and local auditing procedures and reporting practices modified.

HF3507—Abeler (R)**Health & Human Services Policy**

Emergency foster care emergency license requirements provisions expanded.

HF3508—Tingelstad (R)**Health & Human Services Policy**

Cancer; drinking water, air, and land protection provided from chemicals found to cause cancer or reproductive toxicity.

HF3509—Howes (R)**Local Government & Metropolitan Affairs**

Housing and redevelopment officers conflict of interest exception provided.

HF3510—Dorman (R)**Taxes**

Albert Lea local sales and use tax authorized and fund usages specified.

HF3511—Mulder (R)**Local Government & Metropolitan Affairs**

Rock County auditor-treasurer and recorder appointment authorized.

HF3512—Cassell (R)**Environment & Natural Resources Policy**

Garfield land exchange authorized.

HF3513—Blaine (R)**Governmental Operations & Veterans Affairs Policy**

Education-related protections provided for persons called to active military service.

HF3514—Blaine (R)**Transportation Policy**

Brainerd Lakes rest area on State Highway 371 conditions and exceptions provided.

HF3515—Winter (DFL)**Local Government & Metropolitan Affairs**

Murray County recorder appointment authorized.

HF3516—Osskopp (R)**Commerce, Jobs & Economic Development Policy**

Electrician power limited licensing classifications provided.

HF3517—Otremba (DFL)**Health & Human Services Policy**

Family planning special projects grants allocation modified.

HF3518—Krinkie (R)**Local Government & Metropolitan Affairs**

Residential building inspection methods provided.

HF3519—Ozment (R)**Environment & Natural Resources Policy**

Recyclable material container requirements for public entities application modified.

HF3520—Mullery (DFL)**Civil Law**

Tenant applicant screening fees provisions modified.

HF3521—Harder (R)**Health & Human Services Policy**

Residential treatment facility choice and medical assistance facility reimbursement for services to children with emotional disturbances provided.

HF3522—Dorman (R)**Taxes**

Nexus rules for affiliated companies provided.

HF3523—Erickson (R)**Education Policy**

American Indian education programs efficacy study required.

HF3524—Dawkins (DFL)**Governmental Operations & Veterans Affairs Policy**

Accessible building entrances provisions clarified.

HF3525—Holberg (R)**Transportation Policy**

National highway system compliance with interstate highway final construction plan required.

HF3526—Entenza (DFL)**K-12 Education Finance**

School district retired employee health benefits levy extended.

HF3527—Bakk (DFL)**Environment & Natural Resources Policy**

Timber sale provisions on tax-forfeited land modified.

HF3528—Workman (R)**Transportation Policy**

Motor vehicle seasonal weight restriction permits provided.

HF3529—Abeler (R)**Education Policy**

Teacher and community expert license display required, non-licensed community expert teaching limited, optional community expert credential provided, teaching standards grant increased, rulemaking provided, and money appropriated.

HF3530—Abeler (R)**Education Policy**

Teachers and districts alternate bargaining deadline imposed.

HF3531—Biernat (DFL)**Governmental Operations & Veterans Affairs Policy**

Affirmative action program modified.

HF3532—Krinkie (R)**Civil Law**

Statutory home warranty breach actions limitation specified.

HF3533—Buesgens (R)**Civil Law**

Child abuse false report penalty increased, background checks for court personnel and parenting time supervisors required, immunity of child protection workers reduced, and guideline usage required.

HF3534—Molnau (R)**Transportation Policy**

Trooper enforcement activity prohibited as a measure of performance.

HF3535—Anderson, I. (DFL)**Environment & Natural Resources Policy**

Itasca County land conveyance authorized.

HF3536—Sviggum (R)**Governmental Operations & Veterans Affairs Policy**

Hayfield; survivor benefit authorized for spouse of former Hayfield police chief.

HF3537—Rhodes (R)**Governmental Operations & Veterans Affairs Policy**

Firefighter interest arbitration provision expiration date extended.

HF3538—Haas (R)**K-12 Education Finance**

School district fund transfers authorized.

HF3539—Dawkins (DFL)**Civil Law**

Counseling procedures clarified.

HF3540—Gray (DFL)**Governmental Operations & Veterans Affairs Policy**

Civil rights restoration and eligibility to vote provisions changed.

HF3541—Seagren (R)**K-12 Education Finance**

Independent School District No. 709, Duluth, referendum transfer adjusted.

Tuesday, February 19

HF3542—Fuller (R)**Local Government & Metropolitan Affairs**

Emergency medical aid arrangement procedure provided, cities or non-profit firefighting corporations authorized to impose a service charge, and delinquent charges collection provided.

HF3543—Gleason (DFL)**Health & Human Services Policy**

Prescription drug access program established.

HF3544—Stang (R)**Crime Prevention**

Domestic abuse investigation fee reinstated.

HF3545—Fuller (R)**Crime Prevention**

DWI; staggered sentencing program established for DWI offenders.

HF3546—Fuller (R)**Local Government & Metropolitan Affairs**

Emergency medical aid arrangements procedure provided, cities or non-profit firefighting corporations authorized to impose service charge for emergency services, and collection of delinquent charges provided.

HF3547—Hausman (DFL)**Regulated Industries**

Nuclear waste council restructured as the nuclear waste security council under the commissioner of commerce, and money appropriated.

HF3548—Hausman (DFL)**Governmental Operations & Veterans Affairs Policy**

Teachers retirement association military service credit purchases payment amount determinations modified.

HF3549—Fuller (R)**Taxes**

Resort property tax payment date deadline delayed.

HF3550—Stanek (R)**Crime Prevention**

DNA collection law scope expanded.

HF3551—Carlson (DFL)**Civil Law**

Victim support services classified.

HF3552—Sykora (R)**Taxes**

Licensed child care facility property tax classified as 4c for property tax purposes.

HF3553—Mulder (R)**K-12 Education Finance**

Secondary sparsity education revenue modified.

HF3554—Sertich (DFL)**Commerce, Jobs & Economic Development Policy**

Employee layoff early warning system established, and notice requirements reinstated.

HF3555—Wasiluk (DFL)**Environment & Natural Resources Policy**

Persistent bioaccumulative toxic chemical reduction provisions required, surcharges provided, permit information and funding established, bonds issued, and money appropriated.

HF3556—Erhardt (R)**Governmental Operations & Veterans Affairs Policy**

Flag; state flag design task force established.

HF3557—Harder (R)**Jobs & Economic Development Finance**

Red Rock rural water system funding provided for the southwest Minnesota regional water project, bonds issued, and money appropriated.

HF3558—Anderson, B. (R)**Governmental Operations & Veterans Affairs Policy**

Congressional Medal of Honor recipients made eligible for state-paid life, hospital, medical, and dental insurance.

HF3559—Stanek (R)**Education Policy**

School closing additional notice required.

HF3560—Bishop (R)**Environment & Natural Resources Finance**

Rochester multiple state agency regional office and fleet management facility construction funding provided, bonds issued, and money appropriated.

HF3561—Jennings (DFL)**Regulated Industries**

Telecommunications consumer privacy act established requiring consent for disclosure of consumer information, and providing penalties.

HF3562—Lenczewski (DFL)**Ways & Means**

State bond rating effects consideration required.

HF3563—Clark, J. (R)**Civil Law**

Domestic abuse; providing for effect of recognition of paternity upon temporary custody, and for presumption concerning an order of protection.

HF3564—Paulsen (R)**Environment & Natural Resources Policy**

Deer management use of silencers authorized.

HF3565—Johnson, S. (DFL)**Transportation Policy**

Metropolitan Airports Commission required to provide restrooms for drivers of ground transportation vehicles.

HF3566—Vandever (R)**Transportation Policy**

Lottery receipts portion dedicated to trunk highway improvements, and money appropriated.

HF3567—Evans (DFL)**Taxes**

New Brighton public safety facility construction materials sales tax exemption provided.

HF3568—Smith (R)**Civil Law**

Child residency removal procedures modified.

HF3569—Dehler (R)**Agriculture Policy**

Hemp; Congress and the U.S. Government urged by resolution to develop industrial hemp definitions to distinguish it from marijuana.

Wednesday, February 20

HF3570—Gunter (R)**Regulated Industries**

Public telecommunications services fund established, public telecommunications network support and access fee provided, and money appropriated.

HF3571—Rhodes (R)**Jobs & Economic Development Finance**

Family homeless prevention and assistance program funding provided, and money appropriated.

HF3572—Evans (DFL)**Taxes**

New Brighton public safety building construction materials sales tax exemption provided.

HF3573—Greiling (DFL)**K-12 Education Finance**

Integration revenue additional levies authorized for specified school districts.

HF3574—Marquart (DFL)**Taxes**

Property tax notice lake improvement district amount required to be shown separately.

HF3575—Bishop (R)**Governmental Operations & Veterans Affairs Policy**

Legislative approval of state employee collective bargaining agreement eliminated.

HF3576—Holsten (R)**Environment & Natural Resources Policy**

Aquatic plant control permit provisions modified, and maximum fee eliminated.

HF3577—Dawkins (DFL)**Taxes**

Tax provisions updated to conform with internal revenue code updates relating to victims of terrorism.

HF3578—Ozment (R)**Crime Prevention**

Firearms; prohibition on furnishing a firearm to a minor modified.

HF3579—Holberg (R)**Civil Law**

Domestic abuse; misdemeanor standard clarified for violation of an order for protection or no contact order.

HF3580—Otremba (DFL)**Transportation Policy**

Motor vehicle registration options provided for trailers with gross weight under 3,000 pounds.

HF3581—Otremba (DFL)**Taxes**

Agricultural homestead market value credit increased.

HF3582—Dawkins (DFL)**Civil Law**

Child support guidelines established.

HF3583—McElroy (R)**Taxes**

Electric generation facility attached machinery property tax exemption provided, construction materials sales tax exemption provided, abatements authorized, and wind energy conversion systems exempted from property taxes.

HF3584—Holberg (R)**Civil Law**

Judgement calculation interest rate formulas modified.

Thursday, February 21

HF3585—Dawkins (DFL)**Taxes**

Rental housing class 4d valuation of certified property provided.

HF3586—Leighton (DFL)**Commerce, Jobs & Economic Development**

No-fault auto insurance inflationary adjustments provided.

HF3587—Vandever (R)**Civil Law**

Electronic real estate records documentation standards modified relating to a pilot project.

HF3588—Seagren (R)**Taxes**

Bloomington lodging tax increase authorized.

HF3589—Ness (R)**Education Policy**

School bus safety training, district responsibilities, and type III vehicle standards modified.

HF3590—Dibble (DFL)**Commerce, Jobs &****Economic Development**

Motor vehicle dealers required to notify consumers of recall repairs.

HF3591—Bishop (R)**Taxes**

Rochester lodging tax authorized.

HF3592—Bishop (R)**Crime Prevention**

Extended jurisdiction juveniles stayed sentence automatically revoked upon violation of stayed sentence.

HF3593—Jennings (DFL)**Transportation Policy**

Global positioning system, (GPS), emergency response assistance account established, and money appropriated.

HF3594—Abrams (R)**Taxes**

Tax provisions federal update provided.

HF3595—Paulsen (R)**Taxes**

Energy efficient propane gas furnaces and water heaters sales tax exemption provided.

HF3596—Kelliher (DFL)**Environment & Natural****Resources Policy**

Bear season opening day required to be no earlier than the day after Labor Day.

HF3597—Seifert (R)**Governmental Operations & Veterans Affairs Policy**

Campaign spending limits increased for certain constitutional and other candidates.

HF3598—Osskopp (R)**Governmental Operations & Veterans Affairs Policy**

Gambling device sales regulation provided relating to federally recognized Indian tribes.

HF3599—Westrom (R)**Transportation Policy**

Spinal cord injury research board established, trust account created, optional donation for research provided on driver's license application, and driver's license reinstatement fee increased for alcohol-related revocations.

HF3600—Hilty (DFL)**Commerce, Jobs &****Economic Development Policy**

Advertising promoting nonprofit organized youth recreational activities allowed adjacent to roads.

HF3601—Leighton (DFL)**Civil Law**

Health record and medical information release provisions clarified.

HF3602—Molnau (R)**Transportation Policy**

Local road improvement fund established, standing appropriation provided, fund expenditure criteria specified, and bonds issued.

HF3603—Evans (DFL)**Environment & Natural Resources Policy**

Mounds View tax-forfeited land parcel conveyance provided.

HF3604—Marquart (DFL)**Education Policy**

Youth policy study and report authorized.

HF3605—Pugh (DFL)**Transportation Policy**

Metropolitan Airports Commission required to provide equivalent funding for all designated reliever airports.

HF3606—Kuisle (R)**Education Policy**

English proficiency test to identify limited English proficient pupils delayed.

Where to find information

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.

MONDAY, Feb. 25

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

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

Agenda: HF3029 (Boudreau) Energy building code requirements changed in certain instances. HF3575 (Bishop) Legislative approval of state employee collective bargaining agreement eliminated.

HF2587 (Kahn) Minnesota Twins community ownership process provided.

HF2252 (Hilstrom) Hennepin County Soil and Water Conservation District supervisor appointment and transition from an elected to an appointed board provided.

JOBS & ECONOMIC

DEVELOPMENT FINANCE

200 State Office Building
Chr. Rep. Dan McElroy

Agenda: Presentation of capital budget projects: HF3067 (Clark, J.) Children's Theatre Company renovation and construction.

HF2994 (Bishop) Rochester art center construction.

HF3453 (Knoblach) St. Cloud Civic Center grant.
Note: The committee will reconvene Monday evening (time to be announced) in 300N State Office Building to discuss its capital bonding proposal.

JUDICIARY FINANCE

500S State Office Building
Chr. Rep. Rich Stanek

Agenda: To be announced.

TRANSPORTATION FINANCE

5 State Office Building
Chr. Rep. Carol Molnau

Agenda: HF3114 (Stanek) Transportation department radio communications system infrastructure funding provided, and money appropriated.

HF647 (Westerberg) East Bethel; Trunk Highway No. 65 improvement bonds issued.

HF3104 (Dorn) DM&E Railroad mitigation grants provided to cities, bonds issued, and money appropriated.

HF2743 (Workman) Trunk Highway 212 multilane divided highway construction funding provided and money appropriated.

HF3065 (Workman) Trunk highway turnback and contemplated turnback rehabilitation funding provided, bonds issued, and money appropriated.

HF3232 (Clark, J.) Minnesota transit operating and capital assistance funding provided, bonds issued, and money appropriated.

9:30 a.m.

ADD

RULES & LEGISLATIVE ADMINISTRATION

400N State Office Building
Chr. Rep. Tim Pawlenty

Agenda: Calendar for the Day for Tuesday, Feb. 26.

10:15 a.m.

CIVIL LAW

Basement Hearing Room
State Office Building

Chr. Rep. Steve Smith

Agenda: HF3206 (McElroy) Health commissioner occupational safety responsibilities eliminated in certain instances and penalty limits for certain violations increased. HF3031 (Mulder) Minnesota Emergency Health Powers Act adopted, emergency declaration provisions modified, health conditions reporting required, and property control special powers authorized.

HF3240 (Clark, J.) Electronic voting authorized for cooperatives.

HF3048 (Workman) Criminal penalties for persons who promote, advocate, and take responsibility for criminal acts provided.

ENVIRONMENT & NATURAL

RESOURCES FINANCE

10 State Office Building
Chr. Rep. Mark Holsten

Agenda: HF586 (Seifert) Minnesota River Basin Projects, Inc.; floodwater control grant provided and money appropriated.

HF1386 (Ozment) Shoreland protection program established, grants provided, and money appropriated.

HF2543 (Clark, J.) New Ulm recreational trail construction funding provided, bonds issued, and money appropriated.

HF2579 (Nornes) Fergus Falls solid waste combustor pollution control equipment upgrade grant provided, bonds authorized, and money appropriated.

HF2690 (Davids) Reinvest in Minnesota (RIM) conservation reserve program funding provided, bonds issued, and money appropriated.

HF2776 (Mulder) Casey Jones trail capital planning, acquisition, and development funding provided, bonds issued, and money appropriated.

HF2885 (McElroy) Minnesota Zoological Garden facilities and business master plan phase I funding provided, bonds issued, and money appropriated.

HF2892 (Tuma) Water and land resource improvement funding provided, bonds issued, and money appropriated.

HF3308 (Cassell) Solid waste capital assistance

grants program funding provided, bonds issued, and money appropriated.

HF3451 (Holsten) School air quality; indoor real time air quality monitors pilot project funding provided, bonds issued, and money appropriated.

HF3560 (Bishop) Rochester multiple state agency regional office and fleet management facility construction funding provided, bonds issued, and money appropriated.

Note: The committee will reconvene at 4 p.m. or 30 minutes after session in 500S State Office Building.

HIGHER EDUCATION FINANCE

300S State Office Building
Chr. Rep. Peggy Leppik

Agenda: 2002 higher education capital budget recommendations.

Note: The committee will reconvene immediately after session in 300S State Office Building to continue the capital budget recommendations discussion.

K-12 EDUCATION FINANCE

5 State Office Building
Chr. Rep. Alice Seagren

Agenda: To be announced.

Property Tax Division/TAXES

200 State Office Building
Chr. Rep. Ron Erhardt

Agenda: HF2630 (Erhardt) Noncommercial seasonal recreational property exempted from the state property tax.

HF3476 (Anderson, I.) Levy limit base calculation modified.

HF3243 (Bernardy) Local government health care insurance premium levies not subjected to levy limits.

HF3140 (Murphy) Local government aid city revenue base increased for Hermantown.

HF3454 (Lenczewski) Local government aid city aid base reduced as aid appropriations increase. Additional bills may be added.

12:30 p.m.

FAMILY & EARLY CHILDHOOD

EDUCATION FINANCE

5 State Office Building
Chr. Rep. Barb Sykora

Agenda: Committee bonding recommendations.

LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building
Chr. Rep. Jerry Dempsey

Agenda: HF3202 (Smith) Delano Public Utilities Commission increased to five members.

HF3169 (Vandever) Housing; municipal low-income housing authority specified.

HF3499 (Entenza) St. Paul civil service separation retroactive effective date established.
HF2915 (Bakk) Cook County powers and authority in relation to the Cook County hospital district clarified, and maximum tax levy provided.
HF2987 (Bakk) Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.
HF3192 (Bakk) Cook County road and bridge levy expenditure authorized.
HF2830 (Osthoff) St. Paul local bonding authority limits set through 2008.
HF2611 (Bernardy) Anoka County emergency radio system bonds and levy authorized.
Other agenda items to be announced.

REGULATED INDUSTRIES

10 State Office Building
Chr. Rep. Ken Wolf
Agenda: HF3340 (Holsten) Requiring prevailing wage on specified electric energy generating plant or other energy facilities granted special tax treatment.
And other bills to be announced.

3 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, Feb. 26

(Note: Tuesday meeting times may change to accommodate the 9 a.m. floor session.)

8:15 a.m.

EDUCATION POLICY

200 State Office Building
Chr. Rep. Harry Mares
Agenda: To be announced.

HEALTH & HUMAN SERVICES POLICY

10 State Office Building
Chr. Rep. Fran Bradley
Agenda: To be announced.

JUDICIARY FINANCE

Basement Hearing Room
State Office Building
Chr. Rep. Rich Stanek
Agenda: To be announced.

TRANSPORTATION POLICY

5 State Office Building
Chr. Rep. Tom Workman
Agenda: To be announced.

9 a.m.

THE HOUSE MEETS IN SESSION.

10:15 a.m.

ENVIRONMENT & NATURAL RESOURCES POLICY

10 State Office Building
Chr. Rep. Dennis Ozment
Agenda: To be announced.

STATE GOVERNMENT FINANCE

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

12:30 p.m.

AGRICULTURE & RURAL DEVELOPMENT FINANCE

10 State Office Building
Chr. Rep. Bob Ness
Agenda: To be announced.

CAPITAL INVESTMENT

5 State Office Building
Chr. Rep. Jim Knoblach
Agenda: Finance committee recommendations for Capital Investment.

COMMERCE, JOBS & ECONOMIC DEVELOPMENT POLICY

200 State Office Building
Chr. Rep. Greg Davids
Agenda: HF3434 (Rhodes) Responsible lending act of 2002 adopted enacting restrictions on certain home loans.
HF3078 (Stang) Real estate industry licensee conduct regulated, disclosures modified, and investigations by commerce commissioner regulated.
HF3462 (Mulder) Funeral trust account provisions modified.
HF3342 (Gerlach) Discrimination against older homes prohibited in manufactured home park lots.
Other bills may be added.

Time to be announced

CRIME PREVENTION

Basement Hearing Room
State Office Building
Chr. Rep. John Tuma
Agenda: HF2841 (Penas) Local correctional fees defined to include room and board.
HF1934 (Stanek) National Crime Prevention and Criminal Data Privacy Compact.
HF3168 (Fuller) Department of Corrections initiatives - DWI clarification, etc.
HF3176 (Hilstrom) Felony offense for employing "runners" to procure clients.
HF3304 (Tuma) Crime of sexual misconduct against vulnerable adults expanded.
Other bills may be added.

WEDNESDAY, Feb. 27

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

Basement Hearing Room
State Office Building
Chr. Rep. Jim Rhodes
Agenda: To be announced.

JOBS & ECONOMIC DEVELOPMENT FINANCE

200 State Office Building
Chr. Rep. Dan McElroy
Agenda: To be announced.

JUDICIARY FINANCE

500S State Office Building
Chr. Rep. Rich Stanek
Agenda: To be announced.

Sales and Income Tax Division/TAXES

500N State Office Building
Chr. Rep. Elaine Harder
Agenda: HF2941 (Blaine) Allows an individual income tax subtraction for military pay.
HF3159 (Rifenberg) Eliminates the authority of the commissioner of revenue to terminate income tax reciprocity.
HF3014 (Huntley) Delays the date for the state to start collecting the Duluth sales tax.
HF3460 (Kuisle) Taxes delivery charges for aggregate materials and concrete block, and provides transition language for certain contracts signed prior to a change in sales tax definitions.
HF3510 (Dorman) Authorizes the city of Albert Lea to impose a local sales and use tax.
HF3522 (Dorman) Provides nexus rules for affiliated companies.

TRANSPORTATION FINANCE

5 State Office Building
Chr. Rep. Carol Molnau
Agenda: Bonding recommendations.

10:15 a.m.

CIVIL LAW

Basement Hearing Room
State Office Building
Chr. Rep. Steve Smith
Agenda: To be announced.

HIGHER EDUCATION FINANCE

300S State Office Building
Chr. Rep. Peggy Leppik
Agenda: To be announced.

K-12 EDUCATION FINANCE

5 State Office Building
Chr. Rep. Alice Seagren
Agenda: To be announced.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: HF2744 (Fuller) Electric generation facility personal property tax exemption provided.

HF2974 (Ruth) Electric generation facility personal property tax exemption provided.

HF3229 (Holsten) Income tax credit provided for land donated for conservation purposes, and property tax classification provided for certain unimproved land bordering a lake.

HF3325 (Rifenberg) Agricultural mortgage registry tax provision modified
Additional bills may be added.

12:30 p.m.

AGRICULTURE POLICY

10 State Office Building

Chr. Rep. Tim Finseth

Agenda: To be announced.

FAMILY & EARLY CHILDHOOD EDUCATION FINANCE

5 State Office Building

Chr. Rep. Barb Sykora

Agenda: To be announced.

LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building

Chr. Rep. Jerry Dempsey

Agenda: To be announced.

3 p.m.

THE HOUSE MEETS IN SESSION.

6 p.m.

Joint House and Senate Subcommittee on Claims

500N State Office Building

Chrs. Rep. Bill Haas, Sen. Steve Murphy

Agenda: Claims against the Minnesota Department of Corrections.

Note: All other claims against various departments will be heard during the 2002 Interim.

THURSDAY, Feb. 28

8:15 a.m.

EDUCATION POLICY

200 State Office Building

Chr. Rep. Harry Mares

Agenda: To be announced.

HEALTH & HUMAN SERVICES POLICY

10 State Office Building

Chr. Rep. Fran Bradley

Agenda: To be announced.

JUDICIARY FINANCE

Basement Hearing Room

State Office Building

Chr. Rep. Rich Stanek

Agenda: To be announced.

TRANSPORTATION POLICY

5 State Office Building

Chr. Rep. Tom Workman

Agenda: To be announced.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room

State Office Building

Chr. Rep. John Tuma

Agenda: HF3494 (Stanek) Guilty but mentally ill verdict.

HF2904 (Larson) Requiring repair of expended airbags.

Other bills will be added.

ENVIRONMENT & NATURAL RESOURCES POLICY

10 State Office Building

Chr. Rep. Dennis Ozment

Agenda: To be announced.

STATE GOVERNMENT FINANCE

300N State Office Building

Chr. Rep. Philip Krinkie

Agenda: To be announced.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: Public finance bills to be announced.

HF2655 (Pawlenty) Property tax deferral extended on art park property.

12:30 p.m.

AGRICULTURE & RURAL DEVELOPMENT FINANCE

10 State Office Building

Chr. Rep. Bob Ness

Agenda: To be announced.

CAPITAL INVESTMENT

5 State Office Building

Chr. Rep. Jim Knoblach

Agenda: To be announced.

COMMERCE, JOBS & ECONOMIC DEVELOPMENT POLICY

200 State Office Building

Chr. Rep. Greg Davids

Agenda: HF3117 (Ozment) Minnesota environmental response and liability act statute of limitations to recover response costs clarified.

HF2750 (Larson) Unemployment; extra benefits provided for workers laid off from airline and related industries.

HF3206 (McElroy) Health commissioner occupational safety responsibilities eliminated in certain instances and penalty limits for certain violations increased.

Other bills may be added.

FRIDAY, March 1

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

Basement Hearing Room

State Office Building

Chr. Rep. Jim Rhodes

Agenda: To be announced.

JOBS & ECONOMIC DEVELOPMENT FINANCE

200 State Office Building

Chr. Rep. Dan McElroy

Agenda: To be announced.

JUDICIARY FINANCE

500S State Office Building

Chr. Rep. Rich Stanek

Agenda: To be announced.

10:15 a.m.

CRIME PREVENTION

Basement Hearing Room

State Office Building

Chr. Rep. John Tuma

Agenda: To be announced.

Note: This meeting will occur if needed to complete second committee deadline bills. The meeting is scheduled to last until 6 p.m. as needed to complete the agenda.

HIGHER EDUCATION FINANCE

300S State Office Building

Chr. Rep. Peggy Leppik

Agenda: To be announced.

K-12 EDUCATION FINANCE

5 State Office Building

Chr. Rep. Alice Seagren

Agenda: To be announced.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

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Minnesota Memorials



PHOTO BY ANDREW VON BANK

Roy Wilkins

One of the nation's most ardent supporters of the civil rights movement is memorialized along John Ireland Boulevard, near the old Columbus walk.

Often referred to as the father of civil rights, Roy Wilkins grew up near the Capitol complex and graduated from the University of Minnesota in 1923. President Lyndon Johnson awarded Wilkins the nation's highest civilian honor, the Medal of Freedom, in 1967. Wilkins died in 1981.

Designed by Curtis Patterson of Atlanta, the monument was dedicated in November 1995. Measuring 50 feet by 75 feet, the memorial includes 46 different elements, each representing one of Wilkins' years with the National Association for the Advancement for Colored People, including 22 years as the organization's chief executive. During his leadership reign the Civil Rights Acts of 1957, 1960, 1964, the 1965 Voting Rights Act were passed and successful court cases were argued by the NAACP to the United States Supreme Court.

"What Martin Luther King Jr. did on the streets, he did through the justice system," said Paul Mandell, a principal planner with the Capitol Area Architectural and Planning Board.

Highlighting the monument is a spiral that rises above and through the wall. That is representative of Wilkins' belief that equality could be done through legislative action. The spiral begins with flat pieces and ascends until they get to a ceremonial African spear for the last piece, which points toward the Minnesota Judicial Center.

Barriers and obstacles faced by African-Americans are symbolized in the walls and other pieces. The flooring also has key dates on it. Quotes on the walls are used to characterize Wilkins. Additionally, a picture of the leader is etched in the stone.

(M. Cook)

Reflections

Order, symmetry, and impressive lines of sight that personalize the Capitol buildings and exterior lawns often go unnoticed by the hundreds of people who roam the complex each day. Yet a deliberate and distinct plan is always in progress as improvements are made throughout the area.

This same plan was touted by Capitol building architect Cass Gilbert in 1907 when he released his vision for the complex, maintaining it for posterity to draw major attention to the state's seat of government — occupied in 1905.

Gilbert began to accomplish his vision by placing the majestic statehouse at the focal point of a system of wide lawns and boulevards that extended out to St. Paul in the tradition of the designs of Old World cities.

His influences on the visual presence of the Capitol and its surroundings are still prevalent today. Until his death in 1934, the architect's perceptions for orientation and order continued to appear where new buildings and their adornments were placed.

During the past three years this movement continues to progress under the auspices of developing more continuity and consistency to the design of the Capitol surroundings. Those involved include Paul Mandell and Nancy Stark from the Capitol Area Architectural and Planning Board, its board advisors, and the state Department of Administration.

Their diligent efforts to continue Gilbert's plan of extending out to what he called the "Capitol neighborhood" surface in overseeing the outdoor restoration of adornments of state departments, office buildings, and streets.

Preservation work is being completed by

Jensen Conservation of Omaha, Neb. The company's charge is to replace the patina of the statues and memorials, including the ornate light fixtures found at some of the buildings, such as the just completed lampposts outside the State Office Building.

Construction began on the State Office Building in 1932 along Park (now Constitution) Avenue. The street radiates southwest in Cass Gilbert fashion out to John Ireland Boulevard.

The building's symmetrical twin, the old historical society building — now part of the Judicial Center — was completed in 1917 along Cedar Avenue, extending out to the southeast. The two buildings capture Gilbert's vision more than others around the complex by anchoring the broad avenues that extend out to the community. They were designed and built 15 years apart by architect

C. H. Johnston to exactly line up across the lawn from each other.

Capitol inhabitants and others could pause for a moment to admire the facades of the two buildings, particularly the elaborately designed lampposts that guard the steps. The design of each fixture contains a torch holding lamp globes, wide plant leaves that cascade down to floral wreaths, horned ram's heads, and four-clawed eagle talons at the base.

In the spirit of Cass Gilbert's ideas, a brief pause to also study how laws can involve design, detail, and vision to make them successful, may well be worth it to political theorists and others to contemplate.

—LECLAIR GRIER LAMBERT



PHOTO BY BECKY EKSTAM

One of the newly restored lampposts in front of the State Office Building.

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

MINNESOTA INDEX

States and deficits

Lost economic output due to the Sept. 11 attacks, in billions	\$50
States experiencing recession prior to Sept. 11	11
States nearing recession	18
Personal income growth estimates for fiscal year 2002, as percent	3
Actual growth for 2001, as percent	5
For 2000, as percent	7
Legislative general fund appropriations for 2002, all 50 states, in billions	\$521
Projected revenues for 2002, all 50 states, in billions	\$511.5
Beginning balances for 2002, all 50 states, in billions	\$21.8
Budget reserves for 2002, all 50 states, in billions	\$21
Number of states* anticipating revenues below projections for fiscal year 2002 (ending June 30), as of January	46
States with projected shortfalls in fiscal year 2003	38*
Highest estimated shortfall for 2002 (California), in billions	\$12.4
Lowest estimated shortfall for 2002 (New Hampshire), in millions	\$6.6
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States exploring budget cuts or holdbacks for 2002	39
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States considering using tobacco settlement funds	8
States delaying, reducing, or canceling bonding projects	7
State anticipating special sessions to deal with budget shortfalls in 2002	6

* Includes the District of Columbia, bringing the total possible to 51.

Sources: *State Fiscal Outlook for FY2002*, November 2001 update and January 2002 update, National Conference of State Legislatures (www.ncsl.org); *the Fiscal Survey of States*, December 2001, National Association of State Budget Officers (www.nasbo.org); *State Budgets Update*, January 25, 2002, NASBO; Fiscal Update: *State Budget Post-Attack*, September 2001, NASBO.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

MARCH 1, 2002
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In this issue:

BUDGET VETO OVERRIDE

ANTI-TERRORISM PROPOSALS, AND MORE

HF3607-HF3660

Session Weekly

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At Issue: Health — As part of the anti-terrorism measures being discussed during the 2002 session, a House committee heard a plan that would address the governor's emergency powers in the event of an attack. • 22

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On the cover: Flags are visible on all of the members' desks as the House prepares to take up a pledge of allegiance bill Feb. 27.

—Photo by Tom Olmscheid

Keeping Minnesota safe

Anti-terrorism bill addresses a range of topics, all designed to ease residents' minds

By LISA HILTON

After weeks of debate and discussion, a bill that would give state and local law enforcement officials new ways to prevent and fight terroristic activities is one step closer to getting a full House vote.

The House Crime Prevention Committee approved the measure Feb. 22 and referred it to the House Judiciary Finance Committee.

HF2622, sponsored by Rep. Rich Stanek (R-Maple Grove), which addresses everything from new driver's license regulations to changes in wiretapping laws, was broken into bits and pieces and has been filtered through numerous committees to end up in its current form.

One of the many pieces rolled into the bill contains parts of Gov. Jesse Ventura's anti-terrorism package, which was whittled down to sections that were added to the plan.

Perhaps the most difficult part of putting together the anti-terrorism bill was defining exactly what terrorism is.

The original bill states that people would be guilty of terrorism if they commit a crime of violence intended to terrorize a considerable number of people beyond those directly affected by the crime.

But some committee members and testifiers said that definition is circular and the term too vague to be useful in courts.

Rep. Wes Skoglund (DFL-Mpls) said the term "terrorism" shouldn't be defined by using only the word terror.

The definition could also include nearly any crime, since one could argue that almost any misdeed could make a considerable number of people afraid, he said.

Rep. John Tuma, (R-Northfield), the committee chair, and one of the bill's sponsors, disagreed.

The state has defined "terrorize" in case law and courts have not had a problem with the definition, he said.

Instead, an amendment was passed that would define a crime of violence as it relates to terrorism.

Some felonious examples that could be



PHOTO BY TOM OLMSCHEID

Public Safety Commissioner Charlie Weaver answers a question from a member of the House Crime Prevention Committee Feb. 22.

considered terrorism include murder, manslaughter, the use of drugs to cause great bodily harm, kidnapping, and piracy or theft of motor vehicles, aircraft, trains, or boats.

The original amendment included a list of 25 offenses, but that number was reduced to 15 after officials pointed out that some of the crimes, such as stalking and harassment, would not normally involve a considerable number of people.

Peter Erlinder, a professor of constitutional law at William Mitchell College of Law, said there are problems with the bill.

By enhancing the penalties for existing crimes, he said the bill wouldn't create new crime, but it would create "supercrime."

That could lead to abuse by prosecutors, who could use the threat of a terrorism charge to coerce people into pleading guilty to lesser crimes, Erlinder said. Under the bill, a terrorism conviction would carry a sentence of 5 years to 30 years imprisonment, along with up to a \$100,000 fine.

Most people would rather plead guilty to a lesser charge than face the possibility of a terrorism conviction, Erlinder said.

House members also struggled with how to put together a plan to keep the state safe without sacrificing the personal freedom of law-abiding citizens.

The following is a sampling of the changes proposed in HF2622:

- Make terrorism a crime and create a mandatory 5-year minimum sentence upon conviction.
- Require two approved forms of identification to be shown when applying for a Minnesota driver's license.
- Make a visa holder's driver's license or identification card expire the same day as the visa.
- Allow police to more easily access voicemail, driver's license photographs, and e-mail.
- Require the state to establish a biological agents registry to better track chemicals.
- Allow public meetings to be closed when matters of security are discussed.
- Require truck drivers to provide their U.S. Department of Transportation number upon request by law enforcement.
- Require the state to perform background checks on hazardous material drivers.
- Increase the penalty for terroristic threats and hoaxes.
- Expand the definition of first-degree murder to include murder committed during an act of terrorism.
- Make trespassing on school roofs and public utility property a misdemeanor.
- Make it easier for law enforcement to obtain a permit for a roving wiretap, and expand the list of crimes that can be investigated with a roving wiretap.
- Set aside money for training and equipment needed to prevent, investigate, and respond to terroristic acts.
- Make terrorists responsible for costs of testing and disposing of intentionally tainted food.
- Allow the commissioner of the Minnesota Pollution Control Agency to suspend rules in emergency situations to deal with disposal of debris and waste.
- Make it a felony to introduce a disease to livestock or wild deer.



War effort

Labor officials kept a watchful eye over labor practices during early 1940s

In the early 1940s, Minnesota was experiencing a phenomenon all too familiar across the country: vast numbers of women were entering the labor force.

While World War II raged in Europe and the Pacific, labor officials reported large shortages of workers, then referred to as “manpower,” and women responded by the dozens to answer the need.

Women were given crash courses in various trades and industries, such as welding, woodworking, drilling, and machine shop work.

But their skills weren’t limited to factory jobs. Many women also served on farms, as domestic help in households, as truck drivers, and in a number of other fields.

However, demand for war-related goods soared, requiring both men and women to work inordinately long hours, coming close to violations of the state’s maximum weekly hour limits.

In the 1943-44 report of the state Department of Labor and Industry, officials urged the Legislature to change minimum wage and maximum hour laws to provide adequate compensation for employees and to ensure quality production throughout the duration of the war effort.

But the call may have been sounded too late to provide immediate relief for workers.

The report, released in January 1945, discussed the state’s 54-hour law that limited workers to no more than 54 hours of work per week. However, officials were concerned that some employers could lump all those hours together, rather than spreading them out over the seven days of the week.

The department had granted temporary exemptions to the law for 77 businesses statewide who were experiencing particularly high demand. However, the average number of hours per employee only increased to 58.5 during the biennium.

But officials were careful in their exemptions.

“In the final analysis, a moratorium on all labor laws for the duration of the war

would seem short-sighted and might result in a serious impairment of the quality and even the quantity of the materials for war,” the report said.

Still, the division of women and children noted inequities involving women because federal law at the time did not protect them.

“Thousands of women are now working in retail trades, offices, and service industries without the benefit of the Fair Labor Standards Act of 1938, which has gone far

in assuring other workers a higher income with overtime guaranteed,” the report said.

Statistics cited in the report showed that women in the workforce increased 25 percent during the biennium. As a result, inspections of workplaces increased by 50 percent, the report said.

The report called for legislation to clarify the 54-hour week, allowing for

30-minute lunch breaks and a day of rest during the week. In the alternative, the report said, lawmakers could choose not to limit the work week and implement a time-and-a-half standard for paying workers for overtime hours.

“A work-week of 54 hours has long been outmoded for either males or females. To provide employment for the many persons now in the armed service or defense work of the country, shorter working hours must be adopted, and this should be done in advance of an armistice,” said the report.

A review of session laws from 1945 did not indicate any changes were made that year, however. Armistice was declared later that year, and within several months, changes in the workforce, due to the war effort, became less and less a concern.

In 1973, the Legislature enacted the Minnesota Fair Labor Standards Act, which governed work weeks, hours, and wages. The law limits the work week to 48 hours but allows for overtime if an employee is paid at 1.5 times his or her hourly wage.

(M. KIBIGER)



Men and women work side by side in a factory, 1944.

For many immigrants, a plan to alter driver’s license regulations for foreigners who are in the country on visas was especially troublesome.

A plan that called for the placing of a small code on the license was scrapped in favor of a plan to mark the licenses with the word “non-renewable,” and place a color-coded strip on the top.

Omar Jamal, executive director of the Somali Justice Advocacy Center in St. Paul, said the plan would have a tremendous effect on the Somali community.

Marking the licenses would not prevent terrorist attacks, but the practice would give police a way to discriminate against legal immigrants, Jamal said.

Skoglund said law enforcement could be sufficiently notified that a person is in the country on a visa by placing the small code on the back of the license.

“I don’t know why we need to label these people further,” he said. “Is it for law enforcement, or do you want the grocer to know, too?”

Rep. Dale Walz, (R-Brainerd), who supported the driver’s license amendment, said there are already eight distinguishing colors on licenses, including black for those under 21.

Walz, a police officer, said he has no tolerance for discrimination, but it’s always going to be a possibility, even for those under 21.

The bill would also make several other changes in driver’s license regulations.

It would close a loophole in the law that allows visa holders to apply for a driver’s license or identification card that has an expiration date beyond the date that their visa expires.

That allows visa holders to appear as if they are in the country legally, Public Safety Commissioner Charlie Weaver said. The bill would change the law so the license expires the same day as the visa.

The measure would also make it harder for people to acquire a state driver’s license or identification card by requiring two forms of identification.

Minnesota is good about checking the identification of people applying for licenses, Weaver said, but some other states are not.

That means that under current law people can obtain a license in a more lax state and use it to obtain a license in Minnesota, he explained.

Another area that raised some questions is the proposed change to wiretapping laws and access to stored communication such as e-mail and voicemail.

The bill would give greater authority to law enforcement to obtain a roving wiretap and would allow them easier access to suspects’

Continued on page 27

Photo courtesy of the Minnesota Historical Society

★ AGRICULTURE

Biodiesel on hold

A House-Senate conference committee considered approving a proposed biodiesel mandate Feb. 27 requiring that all diesel fuel sold in the state contain at least 2 percent of the alternative fuel.

The conference committee took no action, but was expected to consider the plan again March 1. It has been offered up as an amendment to the conference committee report on SF1495, an agriculture policy bill from the 2001 session.

Biodiesel is derived from vegetable oil or animal fats. The state's soybean growers have pushed for the mandate.

The mandate would take effect March 1, 2005 provided that the state's annual biodiesel production capacity had exceeded 8 million gallons. It could go into effect earlier if at least 18 months had passed since the state or federal government passed a 2 cent biodiesel tax credit.

Nuclear power plants and trains would be exempt from the mandate.

As for a provision that would require the state to reimburse distributors if the mandate was later repealed, distributors would be eligible to recoup 80 percent of their costs to adjust to the new biodiesel fuel blends if the repeal is done within two years. After that, the reimbursement declines 10 percent each year and caps at 20 percent eight years after the state imposes the mandate.

There was considerable debate over whether the federal government was in a better position to encourage biodiesel as an alternative fuel.

John Hausladen, president of the Minnesota Trucking Association, said that under a state mandate, Minnesota truck stop operators would be saddled with the added costs and lose business. He said the federal government was in a better position to encourage biodiesel use and distribute the added costs more evenly among the nation's fuel distributors.

Sen. Steve Murphy (DFL-Red Wing), committee co-chair, challenged Hausladen's arguments and said that Congress has lagged behind state efforts on the issue.

Hausladen also argued that the mandate would only benefit a small group of biodiesel investors and processors — not the average Minnesota farmer like supporters suggest. Further, he pointed to studies indicating the cost of biodiesel blends could cost as much as 44 cents more per gallon than regular diesel.

Members of the conference committee disputed that figure, adding that the "jury is still out" on the production costs. Murphy said studies have shown biodiesel blends adding no additional costs or only 3- to 4-cent increases per gallon.

Feedlot changes

Pastures used by farmers to temporarily feed livestock would be exempt from feedlot regulations under a bill approved Feb. 21 by the House Environment and Natural Resources Policy Committee.

The measure has backing from the Minnesota Pollution Control Agency (PCA). An earlier version of the bill contained an amendment exempting winter-feeding areas as well, which prompted an objection from the agency.

Now HF2894, sponsored by Rep. Rod Skoe (DFL-Clearbrook), directs the agency to make recommendations to the Legislature by next January on winter-feeding areas and whether they should also be included in the exemption.

Rod Massey, the agency's South District director, said in some instances farmers have used the areas to feed a number of animals, creating feedlot conditions with large amounts of manure.

A farmer would meet the pasture exemption if the area contained vegetation during the growing season. The vegetative cover is not required in spots near feeding and watering equipment or other areas used to transport animals.

Tom Dunnwald, representing the Clean Water Action Alliance, pushed for a sunset provision on the bill. "Without a sunset, it's going to require some heavy lifting to change it," he said.

He said the pasture exemption would open the door to permanent feeding in the areas, which he said would lead to greater density of animals.

Rep. Jean Wagenius (DFL-Mpls) pressed Massey on water quality, questioning him about how the agency monitored feedlot runoff and asking if the agency tested for antibiotics in water downstream from the farms.

Massey said the agency's goal is to encourage farmers to use the best manure management practices.

"Our goal is no discharge," he said. "Our whole approach is prevention."

The committee referred the bill to the House floor.

It also approved a measure that extends a ban on large, open-air swine manure basins

until 2007. Existing basins that hold 1 million gallons of manure or less would be exempt from the moratorium.

HF2965, sponsored by Rep. William Kuisle (R-Rochester), would also exclude feedlot operators from liability if manure discharge is caused by vandals or an "act of God," which is defined as a 25-year rainfall in a 24-hour period.

The committee temporarily delayed a decision on a similar bill (HF3207), sponsored by Rep. Gary Kubly (DFL-Granite Falls), that would have permanently banned all open-air swine manure lagoons.

Projects sought

More than \$121.8 million in proposed bonding projects cleared the House Agriculture and Rural Development Finance Committee Feb. 22 — about \$30 million more than the governor called for in his proposal.

A \$20 million bonding request for the Rural Finance Authority topped the committee's list of recommendations. Minnesota farmers are eligible for a number of loans through the authority, including programs for livestock expansion and other farm improvements.

Gov. Jesse Ventura recommended \$15 million in bond funding for the loan program.

Other projects outlined in the recommendation, in order of priority, included:

- \$76 million for a proposed joint laboratory to be shared by the Agriculture and Health departments in St. Paul, also recommended by the governor;
- \$14 million for a new agriculture and food sciences charter school near the University of Minnesota's St. Paul campus;
- \$1.6 million to renovate the University of Minnesota's veterinary diagnostics laboratory; and
- \$10 million for a new Minnesota Farmers Market Hall project.

The St. Paul project would be a year-around spot for farmers to sell value-added products so they can keep a larger share of the dollar spent on food. Organizers estimate the market will draw 800,000 visitors annually.

The committee also added a \$6 million request for the Agriculture Best Management Practices program, which is intended to help local governments implement the best plans for individual and agriculture-related sewage treatment systems.

A measure that would require the Department of Agriculture to move its primary offices outside of the seven-county, Twin Cities

metropolitan area was also recommended. A similar proposal is moving through the Senate.

Rep. Al Juhnke (DFL-Willmar) successfully attached the amendment to the agriculture spending bill Feb. 14 before House and Senate leaders agreed on a new budget agreement. However, that agreement was vetoed Feb. 25 by Ventura.

Juhnke pointed out that the state has a number of vacant office buildings in Greater Minnesota that could easily accommodate state office buildings.

The committee forwarded its recommendation to the House Capital Investment Committee.

★ ARTS

Children's Theatre expansion

Eighth-grader Caroline Innerbichler said she was in awe of the singing, dancing, and acting in her first show at the Children's Theatre Company.

Since that performance a few years ago, the Dakota Hills Middle School student has played the part of Annika in "Pippi Longstocking," performed in theaters as far away as Seattle, and has set a goal to attend college.

She testified in support of a bill that would expand the educational facilities of the Minneapolis company, giving more children the opportunities she's had. Teresa Eyring, managing director of the company, said they are turning away hundreds of children, families, and teachers from its programs due to lack of capacity.

HF3067, sponsored by Rep. James Clark (R-New Ulm), was heard at the Feb. 25 meeting of the House Jobs and Economic Development Finance Committee.

"They have classes without classrooms," Clark said.

The bill would allocate \$12 million in bonds to match private funds of the same amount, of which half has been raised. The company would gain a 300-seat flexible theater to better serve children younger than five and teenagers, plus classrooms, rehearsal space, a dance studio, and a lobby area.

The company has partnerships with 10 schools, reduced-cost matinees for 80,000 students a year, after-school and summer programs, as well as "pay what you can" performances to help build communities, according to company literature.

The company has been in its current facility for 30 years and has never renovated or expanded, Eyring said. The architectural designs are currently underway, she said, and



Caroline Innerbichler, an eighth-grader at Dakota Hills Middle School in Eagan, tells a joke to the House Jobs and Economic Development Committee. She testifies in support of a bill that would expand the educational facilities of the Children's Theatre Company in Minneapolis.

work could begin as soon as this summer.

The governor did not recommend funding for any arts projects. The bill was not recommended by the committee to be funded, but the House Capital Investment Committee may include it in its omnibus bill.

New Guthrie proposed

A proposal asking for \$35 million in state bonds for the Guthrie Theater met a committee chair reluctant to fund another arts facility.

"It's our children and grandchildren that pay for the public arts facilities we create," said Rep. Dan McElroy (R-Burnsville), chair of the House Jobs and Economic Development Finance Committee. "There's some limit to what we can afford."

The bill (HF2811), sponsored by Rep. Ron Abrams (R-Minnetonka), was heard Feb. 21.

Proponents of the bill argued the importance of the legislation, saying the Guthrie is one of the state's top 10 cultural institutes, as well as world-renowned.

"It is not an exaggeration to say the theater world is watching the progress of the new Guthrie," Abrams said.

"The program is an ambitious one," admitted Joe Dowling, artistic director for the theater. But the complex has been carefully designed, he said. "If we could do this for less money, we wouldn't be here."

A new theater, costing \$125 million, would feature three stages, an educational facility, and a production facility. Private funding will account for \$75 million, of which more than \$58 million has already been raised.

Dowling said the project would be revised if the state didn't come through with the full \$35 million, but didn't offer any specifics.

The new Guthrie would bring an additional \$285 million to Minnesota's economy and would create 1,550 full-time construction jobs over the two years needed to build it.

Abrams said the theater has an educational mission that includes free and reduced tickets, and would be an "economic engine."

McElroy said he sees the economic and cultural impact a new theater would have, but he also said the state could easily spend \$1 billion in the coming years on arts facilities such as the Roy Wilkins Auditorium, Schubert Theater, Ted Mann Concert Hall, and the Children's Theater. All facilities either have funding proposals in front of the Legislature or plan to present them in the near future.

The bill was not listed as a high priority of the committee, however, the House Capital Investment Committee may still include it in its omnibus bill.

★ BONDING

Judiciary finance recommendations

The House Judiciary Finance Committee recommended \$72.5 million in bonding projects for the Department of Corrections and other criminal justice related organizations at its meeting Feb. 26.

Each of the eight projects under consideration by the committee received a favorable recommendation. Gov. Jesse Ventura recommended funding only \$30.4 million, including four of the projects.

Top ranked among the projects was the request for \$35 million for conversion to a state-wide public radio system.

The funds would help nine counties in the Twin Cities metropolitan area (Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, and Washington) link to a high-frequency (800 mega-hertz) system for public safety and emergency personnel. Currently, officials testified, there is no way for multiple departments to communicate on the same frequency, primarily because they do not have the technological infrastructure and the equipment to link to such a system.

Officials recognized how acute the need to communicate with one another is after the Sept. 11 attacks, said Hennepin County Sheriff Pat McGowan, testifying before the committee Feb. 25.

McGowan also said another \$37 million request for the next phase of the statewide system would help link Greater Minnesota counties in a corridor from Rochester to St. Cloud. Communities in those counties are ready to contribute local dollars to the program.

The request came through the Department of Transportation and was not recommended by the governor.

The committee also recommended four projects requested by the Department of Corrections. Though the department had submitted eight projects for 2002, the governor only recommended funding for the four projects, so the department limited its presentation to those projects.

The largest would require \$23.1 million to finish exterior restoration of the walls surrounding the Stillwater prison. Interior restoration was completed through funds in the 2000 bonding law.

Other projects include \$4.2 million for a new unit to house 416 offenders at the Lino Lakes facility, \$90,000 for pre-design of a new segregation unit planned for Stillwater, and \$3.1 million to renovate an independent living unit at the Shakopee women's prison.

The Shakopee project would convert apartment-style facilities to a dormitory arrangement, said Deputy Commissioner Dennis Benson. That structure would allow double bunking to accommodate a rapidly growing population.

Other projects recommended by the committee that did not receive approval from the governor include: \$6 million for the Colin Powell Youth Leadership Center planned in Hennepin County, \$500,000 for a public safety terrorism training center at Camp Ripley near Little Falls, and \$550,000 for a regional public safety training center in Rochester.

★ CHILDREN

Legally taking a dip

Children who attend family day care at homes with swimming pools should be allowed to use the pool, the House Civil Law Committee decided Feb. 21.

Current law prohibits such activity.

Under HF1517, children would be allowed in the pool with the permission of their parents and the day care provider.

The bill, sponsored by Rep. Tim Wilkin (R-Eagan), would make providers responsible for ensuring that the pool meets safety and other requirements.

Providers would also be responsible for notifying the county of the arrangement each

year, and would have to have a signed contract with the child's parent or guardian.

In addition, providers would have to take courses in first aid and how to operate a pool.

Joel Carlson, representing the Minnesota Trial Lawyer's Association, opposed part of the bill that granted municipalities immunity from lawsuits resulting from accidents at the pool.

The state should not make it legal to use the pool and then not allow lawsuits, he said.

Laura Zrust, program director with the Department of Human Services, said cities and towns shouldn't be held responsible for accidents since they would not be monitoring the pool.

The bill was eventually changed to give cities immunity unless they knew of licensing violations, making it clear that the municipality would not be monitoring the pool for other safety or sanitary conditions.

Wilkin said the bill makes it clear that it would be the parents' responsibility to see that the day care provider is abiding by the rules.

Rep. Mary Liz Holberg (R-Lakeville) pointed out that the bill would only regulate what is already going on since many day care providers already allow children to swim in the pool illegally.

The bill now goes to the House floor.

★ CRIME

Child murder penalties

Those convicted of killing a child under age 14 would receive a mandatory life sentence without the possibility of parole, under a bill approved by the House Crime Prevention Committee Feb. 22.

Rep. Debra Hilstrom (DFL-Brooklyn Center), the sponsor of HF861, said there are only a handful of cases where the bill would apply, most notably in the case of 12-year-old Cally Jo Larson.

Larson was raped and murdered in her Waseca home on April 20, 1999.

Lorenzo Sanchez was charged with both first-degree murder and murder while committing a sexual act in connection with her death.

Because the latter charge would have resulted in a life sentence without parole, Sanchez pleaded guilty to first-degree murder so he would have a chance at parole in 2030.

The bill would have prevented a plea bargain in the case and would have guaranteed that he remain in prison for life if convicted of murder, Hilstrom said.

Since the bill is not retroactive, it will not

effect Sanchez, but will apply to murder cases in the future.

The bill was unopposed in committee and moves to the House Judiciary Finance Committee next.

Sex offender registry

A bill requiring more repeat sexual offenders to register with the state for the rest of their lives was hurried through the House on Feb. 27 and sent to Gov. Jesse Ventura for his approval.

Rep. John Tuma (R-Northfield), the House sponsor of HF3049/SF3019*, said it is important for the Legislature to act on the bill right away in order to avoid losing nearly \$850,000 in federal grant money from the Edward Byrne Memorial State and Local Law Enforcement Assistance program.

That money goes to local law enforcement units for training and other purposes.

The Senate bill was sponsored by Sen. Jane Ranum (DFL-Mpls).

State laws requiring certain criminals to register for 10 years went into effect in 1991, but lifetime registration was not added until 2000. At that time, 1991 was set as the cutoff for considering previous offenses.

Lifetime registration is currently only required if the offender's first offense was one that required registration at the time the case was decided in court. The bill would require criminals who were convicted of an offense before 1991 to register if they are convicted of a second offense.

It would also apply to residents convicted of similar crimes at the federal level or in other states, as well as those who work in Minnesota but live in other states.

Although some members opposed the way the bill was sped through the process, the House passed the bill 129-0.

Rep. Wes Skoglund (DFL-Mpls) tried to amend the bill to include a section changing sexual offender sentencing guidelines, but House Speaker Steve Sviggum (R-Kenyon) ruled that the amendment was not related to the rest of the bill, and he would not allow it to be considered.

★ DEVELOPMENT

Civic center expansion

The St. Cloud Civic Center needs to be expanded to meet the needs of the conference and convention community, proponents say.

Rep. Jim Knoblach (R-St. Cloud) is sponsoring a bill that would allocate \$22.5 million

in bonds for major center improvements. The amount would be matched by local sources. The bill (HF3453) was presented at the Feb. 25 meeting of the House Jobs and Economic Development Finance Committee.

An expansion would include space for exhibits and trade shows, a divisible ballroom, meeting rooms, riverfront enhancements, and a 400-stall parking ramp.

St. Cloud Mayor John Ellenbecker said the civic center expansion is a top priority for the city, especially with the potential closing of Fingerhut Corporation.

"We need to do anything we can to pump money back into the economy," Ellenbecker said.

If Fingerhut closes, St. Cloud would lose \$50 million in economic activity, \$12 million of which an expanded civic center could replace. According to the city, the civic center added \$18.7 million to the St. Cloud area economy last year. A larger, improved civic center would bring in an estimated \$31 million annually.

Proponents said that during the past five years the space shortage has become noticeable: 34 different events were turned away in the past 18 months; 13 major clients have expressed concern about lack of adequate space; and only a single moderately-sized event can be hosted at one time.

The civic center is located in a tight area in the center of downtown St. Cloud. It would be expanded onto property a library currently occupies next to the center. Ellenbecker said the library is being relocated.

The committee took no action on the bill, but will consider it for inclusion in its omnibus bill.

"When I think of the people who have fought and died and suffered for freedoms of this country ... when we say 'One nation, under God, indivisible with liberty and justice for all' ... I think of the price that is paid over and over and over.

"I am offended when anyone would use this kind of weak excuse for not sharing with our young people what this country stands for by saying the pledge of allegiance," he said.

Rep. Alice Hausman (DFL-St. Paul) expressed concerns that the bill may counter freedoms in this country. She talked about the outburst of patriotism America experienced after the events of Sept. 11.

"When citizens must be ordered by their government to say the pledge, it cheapens that outburst," she said.

The bill would also require instruction in the proper etiquette and correct display of the U.S. flag.

Local school boards would be permitted to waive the requirement of the recitation or instruction and to adopt their own policies regarding the recitation of the pledge.

Safety and security levy

Increased safety and security concerns in schools have prompted Rep. Jim Abeler (R-Anoka) to sponsor a bill that would expand the use of the health and safety levy.

"This gives local school districts a chance to decide if they need more safety measures," Abeler said. He presented his bill (HF3295) to the House K-12 Education Finance Committee Feb. 22.

Vicky Roy, chair of the Association of Metro School Districts, said districts are experiencing increased pressure for safety and security measures. There is a need for more hallway monitors, parking lot attendants, and building greeters, among other security devices, she said.

"This would take some pressure off strapped general fund budgets," said Scott Croonquist, executive director of the association. Currently, costs are paid through a district's general operating budget.

Every district would have access to meet their particular need, said Carter Christie, business manager of the Burnsville-Eagan-Savage school district. For example, he said Minneapolis would need more than Mora.

The bill says student and staff safety plans must describe the means necessary to ensure security. Costs may include security cameras, screening devices, physical improvements to building entrances, and various operating costs, such as police liaison officers and other staff.

"While any threat of violence is remote," we still need to take precautions and it does cost money, Christie said.

Before the bill could become law, it would require approval from the state Department of Health, according to Committee Chair Rep. Alice Seagren (R-Bloomington).

Districts can now levy for fire and life safety code repairs, hazardous substance removal, and health, safety, and environmental management, including indoor air quality management.

HF3295, which would become effective in fiscal year 2003, will be considered for inclusion in the committee's omnibus bill.

★ EDUCATION

Pledge of allegiance passes

For the second straight year, the House passed a bill that would require students to recite the pledge of allegiance in school.

Last year the bill had no Senate companion, which inhibited its chances of getting a hearing in that body. This year the Senate companion to HF2598 was approved Feb. 27 by the Senate Education Committee and awaits action on the Senate floor. The House passed the measure Feb. 27 by a vote of 114-11.

The bill, sponsored by Rep. George Cassell (R-Alexandria), would require public and charter school students to recite the pledge of allegiance at least once a week. Students and teachers who object to reciting the pledge would be excused from participating.

Some who opposed the legislation said it might make people uncomfortable or offend them. Cassell responded to those claims on the House floor.

CENTER OF ATTENTION



PHOTO BY TOM OLMSCHEID

House Minority Leader Tom Pugh is surrounded by members of the media after the House voted Feb. 26 to uphold Gov. Jesse Ventura's veto of the budget bill.

★ EMPLOYMENT

Farmland worker benefits

A bill that would extend unemployment benefits to workers who lost their jobs due to a fire at the Farmland Foods Company in Albert Lea easily cleared its first committee.

Members of the House Jobs and Economic Development Finance Committee expressed strong support for HF2636, sponsored by Rep. Dan Dorman (R-Albert Lea), which was heard Feb. 27. The bill will be considered for inclusion in the committee's omnibus bill.

On July 8, 2001, firefighters were unable to contain the fire that resulted in a complete loss of the plant. Nearly 500 workers at the meat and food processing plant lost their jobs, and about 200 are still unemployed. Most of the others have left the state, Dorman said.

Rep. Greg Davids (R-Preston) said it is imperative to keep the workers in Minnesota.

"If those 200 workers leave and the plant reopens, we're not going to get them back," he said.

Farmland's payroll added about \$25 million annually to the economy. Albert Lea, a city of about 20,000 people, took the biggest hit from the closing, but the effects also spread into surrounding cities.

HF2636 would extend unemployment benefits to the workers for 13 weeks. However, recipients would be required to be enrolled in an educational training program.

Most of the workers' unemployment ran out at the end of January, said Mike Lee, who worked at the plant for 25 years. He now works part time at the local workforce center and is going to school for industrial maintenance.

Lee said it's hard to keep his former co-workers in school. "They're all worried about how they're going to feed their families," he said.

The situation is similar to the closing of the LTV Steel Mining Plant in Hoyt Lakes, where workers have skills that don't translate into other industries.

Dorman said he wants to help the workers find another job or help them hang on if the plant reopens. Farmland is expected to announce in April whether to rebuild the plant.

It will cost \$70 million to \$80 million to rebuild the plant, said Bill Avery, union representative for Local 6 United Food and Commercial Workers.

The reason a decision hasn't yet been made, Dorman said, is due to financial struggles and insurance settlements. The plant has separate insurance policies on the product, equipment, and the building.

"It's been a disaster trying to get this thing resolved," Avery said.

★ ENVIRONMENT

Park money sought

Officials with the Twin Cities metropolitan area regional parks system urged the House Environment and Natural Resource Finance Committee to approve a \$15 million bonding request Feb. 25.

The request focuses on improving park facilities and access to the recreational areas for all visitors.

During hearings, the committee heard dozens of bonding proposals for mostly local projects around the state. The requests, including the Twin Cities parks system proposal, were considered for possible inclusion in the committee's list of recommended projects to the House Capital Investment Committee.

John VonDeLinde, director of Anoka County Parks, and Rep. Kathy Tinglestad (R-Andover), sponsor of the regional park request (HF2555), said the bonding dollars are needed to accommodate steady increases in the number of visitors.

VonDeLinde pointed to figures showing a six-fold increase in the number of park visitors since 1975 — from five million to 30 million in 2000.

In contrast, state parks attract eight million visitors annually, according to figures presented to the committee.

Meanwhile, Tinglestad and VonDeLinde noted that the governor's bonding request includes \$31 million for state parks compared to \$8 million for the Twin Cities metropolitan area park system.

The Twin Cities park system includes 32 regional parks, 11 park reserves, and 18 regional trails in the seven-county area.

The state bonding dollars would be leveraged by \$16.8 million in local and federal funds. VonDeLinde said the park system needs a projected \$348 million over the next 10 years for capital improvements.

During the presentation, Rep. Jean Wagenius (DFL-Mpls) raised questions about arsenic-treated lumber that was often used for playground sets built in the 1970s. She said other states, including Florida and California, have developed plans to eliminate children's exposure to the poisonous chemical in parks.

"We seem to be way behind other states in dealing with this issue," Wagenius said.

VonDeLinde said playground sets with the treated lumber are periodically sealed to guard against exposing children to the chemical.

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Protecting the land

Seeking \$25 million in bonding, proponents of a state land conservation program told the House Environment and Natural Resources Finance Committee Feb. 25 that they would lose out on federal matching dollars without state support.

Participants of Reinvest in Minnesota (RIM) rely on state, local, and federal dollars to purchase easements to set aside land for protection from future development.

Since its inception in 1986, RIM has received \$23 million from the state, \$3 million from special license plate fees, and \$26 million in land donations and cash from citizens.

RIM grants have been used by citizens and groups to restore wetlands, forests, native prairies, grasslands, and fish habitats. Farmers involved in the program have agreed to make idle cropland prone to flooding or of otherwise marginal agricultural value.

Rep. Greg Davids (R-Preston), the sponsor of HF2690, said the \$25 million bonding request would fund projects statewide.

Kevin Scheidecker, chairman of the Basin Alliance for the Lower Mississippi in Minnesota, said that RIM dollars have largely targeted land along the Minnesota River Watershed, neglecting other parts of the state.

Scheidecker said that a survey of the state's 91 Soil and Water Conservation districts indicate there is a demand to enroll more than 22,000 acres into RIM, which would cost an estimated \$19 million.

Pointing out that Congress is poised to pass a new farm bill with additional funding for conservation programs, Scheidecker urged committee members to approve the bonding request so the dollars could be leveraged by federal money.

Davids said the RIM dollars would allow farmers, particularly in southeastern and northwestern Minnesota, to take farmland out of production. Both regions have experienced severe flooding in recent years.

"We don't want to have to sandbag every few years," Davids said.

A provision in the bill allowing for 15 percent of the bond proceeds to be used for professional and technical services to implement the program caught the eye of Rep. Tom Osthoff (DFL-St. Paul).

Osthoff expressed concern that the program would require additional state employees. He said it appeared the program had become tied to the state's bureaucracy instead of remaining a citizen-based grassroots effort.

The committee amended the provision to cap the share of the proceeds for technical support to 10 percent.

Rep. Tim Finseth (R-Angus) said RIM applicants often need lawyers to sort through all of the paperwork.

"The process is hideous," Finseth said.

The committee considered the bonding proposal for possible inclusion in its recommendation to the House Capital Investment Committee.

Phosphorus fertilizer restrictions

The House Local Government and Metropolitan Affairs Policy Committee approved a bill Feb. 27 that would restrict the use of phosphorus fertilizer on lawns throughout the state.

HF1524 passed through the committee process last session but did not receive action on the House floor.

Rep. Peggy Leppik (R-Golden Valley) said she has continued to work with various groups interested in the issue. The committee adopted a delete-all amendment that she said reflects interim discussions and strengthens the bill.

Under the amended bill, those residing in the seven-county Twin Cities metropolitan area would be prohibited from applying fertilizer containing phosphorus with some exceptions. The restriction would be lifted if tests of the soil indicate that it is lacking the amount of phosphorus needed to support healthy turf growth, and property owners first establishing a lawn would be exempt during the first growing season.

For those in Greater Minnesota, the bill would establish a restriction of 0.3 pounds phosphate per 1,000 square feet.

Leppik said the bill applies to turf only and does not apply to agricultural land.

Rep. Mark Buesgens (R-Jordan) expressed concern about establishing a petty misdemeanor penalty because without supplying any funding to local units of government the bill would either be an unfunded mandate or would lack enforcement power.

Leppik said the goal isn't to punish people, but rather educate them on the environmental harm caused by phosphorus.

Speaking in support of the bill, Shorewood Mayor Woody Love said that cities throughout the state are concerned about the phosphorus issue and the impact it has on lakes.

"If there is an 1,000 mile journey to protect our water bodies, this represents a significant stride," Love said.

Tony Kwilas, representing the Minnesota Chamber of Commerce, spoke against the bill. Because it allows local governments to adopt tougher restrictions for a period of time, he said it would create a patchwork of ordinances that businesses would need to be aware of community by community.

He said that while the bill's goals are "laudable," a voluntary market driven educational approach would be preferable.

The bill now goes to the House floor.

GAMBLING



State casino rejected

A proposal that would establish a state-run casino with revenue shared with American Indian tribes was voted down 14-5 by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 22.

The measure was one of six gambling related bills, ranging from legalizing sports betting to authorizing slot machines at Canterbury Park, that the committee voted against.

Sponsored by Rep. Dave Bishop (R-Rochester), HF2799 would have imposed a 40 percent tax on revenue generated at the casino minus the amount paid out as prizes. The tax revenue would then be split 50/50 between the state and the tribes. The bill was amended to change the tax rate to 20 percent.

The Minnesota State Lottery would operate the casino, under the measure. Lottery Director George Andersen said a Twin Cities metropolitan area casino could likely generate as much as \$500 million annually.

Bobby Whitefeather, tribal chair of the Red Lake Band, said the additional revenue would help in economic development. He said the Red Lake unemployment rate is around 50 percent, and that there is a severe need for housing in the community.

A philosophical problem that Rep. Bill Hilty



Bobby Whitefeather, tribal chair of the Red Lake Indian reservation, testifies before the House Governmental Operations and Veterans Affairs Policy Committee Feb. 22 in support of a bill that would authorize a state-run casino and establish an American Indian net profit portion.

(DFL-Finlayson) had with the proposals is that gambling revenue is an unfair way to deal with real needs in the state and that all should contribute if an issue is deemed worthy of public funds.

Bishop said that gambling revenues amounted to a user fee, not a tax.

An unsuccessful amendment supported by Bishop would have put a constitutional amendment question before the voters in the 2002 general election to give the Legislature permission to authorize a casino in the state.

Rep. Phyllis Kahn (DFL-Mpls) spoke against the amendment saying it would open up the possibility that a casino operator could expand operations by opening up subsidiary "mini-casinos" elsewhere in the state. Although a co-sponsor of the bill, Kahn said the amendment changed the scope so that she could no longer support it.

Rep. Eric Lipman (R-Lake Elmo) offered an amendment that would allow the lottery director to sell opiate products, including heroin at the casino. He said if the issue was to raise revenue despite involving the state in an activity that has social implications, the revenue expansion in the amendment would fit in with the rest of the bill.

Lipman withdrew the amendment after saying he wanted to raise discussion on the issue.

GAME & FISH



Hunting for chickens

Prairie chicken hunters might soon be able to come out of retirement.

For the first time since the mid-1940s, the state would allow a limited harvest of the birds, under a bill approved Feb. 26 by the House Environment and Natural Resources Policy Committee.

Minnesota's prairie chicken population of about 3,000 has been stable for about a decade. Prairie chickens were disappearing rapidly in the last half of the 20th century because of dwindling habitat, but the population has rebounded largely due to land conservation efforts.

Under HF2920, sponsored by Rep. Dennis Ozment (R-Rosemount), the Department of Natural Resources (DNR) would establish a prairie chicken lottery. Hunters chosen would be required to purchase a \$20 license.

The license fee drew criticism from Rep. Jean Wagenius (DFL-Mpls), who argued taxpayers have spent a lot of money to help restore the prairie chicken population. She would like to see a much higher fee.

The bill also contained a number of other provisions, including a technical amendment

regarding timber sales on state forestlands. The amendment reinstates a 60-day time limit for purchasers to sign a timber permit.

Furthermore, HF2920 regulates the harvest of turtles. Minnesota anglers who have a recreational license would be allowed to take and keep turtles for personal use for \$25. The license to sell turtles would be \$70.

The committee struck two provisions from the bill proposed by the DNR: a section requiring that hunters with firearms licenses complete a firearms safety course, and a plan to allow the DNR commissioner to require restitution or restoration when an individual has tampered with aquatic plant life in public waters.

Ozment, the committee chair, raised concerns that landowners who removed weeds along their shoreline might be subject to a fine under the proposal.

Rep. Thomas Bakk (DFL-Cook) pressed the DNR to instead focus efforts on removing exotic species, such as rusty crayfish, from Minnesota lakes that are threatening to destroy the aquatic vegetation.

The committee also approved a number of amendments to the bill, including:

- allowing residents to obtain an all-season deer license, which would enable them to take one doe and one buck by either firearm or archery;
- prohibiting the use of silencers for firearms, unless the individual has a federal permit or is hired by a local government to shoot deer to control the population; and
- establishing a safety training course for hunters and trappers.

The bill now goes to the House Environment and Natural Resources Finance Committee.

★ GOVERNMENT

Benefit plan revision

A second state employee strike would be avoided under a bill approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 27.

As originally introduced, HF3575, sponsored by Rep. Dave Bishop (R-Rochester), would have eliminated the requirement that collective bargaining agreements with state employees be approved by the Legislature. The now-amended bill would ratify six labor agreements negotiated between the state and employee unions, as well as four other employment-related contracts. Those contracts include agreements with the state's two largest employee unions — the Minnesota Association of Professional Employees and the American Federation of State, County, and Municipal Employees.

Bishop is also the sponsor of a bill (HF3407) approved by the committee on Feb. 13 that would reject all but one labor agreement, that with the Minnesota Government Engineers Council. Additionally, he sponsored a resolution stating the intent of the body was to reject the contracts because of concerns about provisions granting insurance benefits to same-sex partners. It passed the House Feb. 13.

The amended HF3575 includes criteria defining when the same-sex partner of a state employee would be eligible for insurance benefits, not only in the current negotiated agreements, but also in future agreements. Bishop said his concern all along was that the domestic-partner benefit language was too vague and could be interpreted as broadly as partners having financial dependence on someone they live with.

Some criteria spelled out in the amended bill include: the domestic partners be of the same gender, are not related by blood or adoption in a manner that would prohibit marriage, have a committed interdependent relationship that they intend to continue indefinitely, and that they agree to assume all legal spousal obligations to each other that would apply if they were legally married.

Rep. Tony Kielkucki (R-Lester Prairie) offered an unsuccessful amendment that would have removed the section of the bill defining the criteria for an eligible domestic partner. It would have put into law that no collective bargaining agreement or compensation plan can grant insurance benefits to a domestic partner of a state employee.

Kielkucki said the bill would establish intent and precedence in law that the state approves of same-sex partnerships.

"What you have done with the bill is take an issue and carry it even further than the intent of the contracts," he said.

Rep. Mike Jaros (DFL-Duluth) spoke in support of the bill. "This is not a moral issue. It's an economic issue," he said. "We should strive to cover everybody."

The bill now goes to the House State Government Finance Committee.

Affirmative action program

The Department of Employee Relations would take a greater role in coordinating the state's affirmative action program in state agencies, under a measure approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 27.

Rep. Len Biernat (DFL-Mpls), the sponsor of HF3531, said the measure is a "noncontroversial bill with a controversial title."

Michael Watts, director of the Diversity and Equal Opportunity Office in the Department

of Employee Relations, said the bill would reduce the redundancy of each agency developing its own affirmative action plan. The bill would require the department to prepare an executive branch plan each even-numbered year.

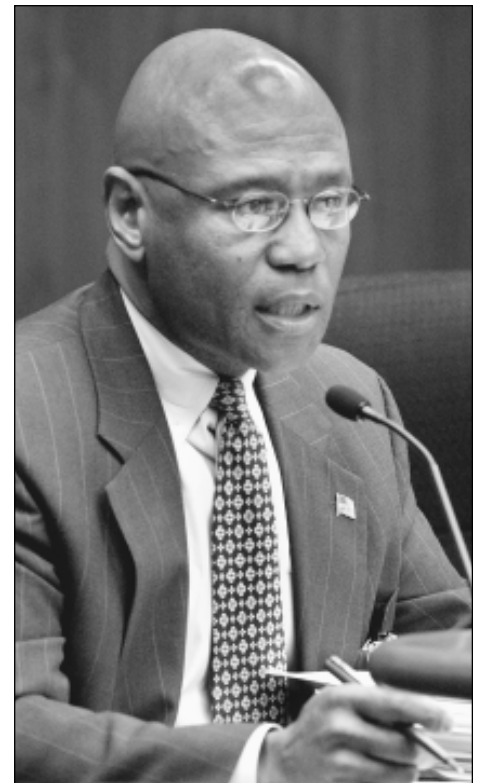
Rep. Mike Osskopp (R-Lake City) expressed concern about a provision in the bill that would require the department to establish an "annual goal," or target, to identify problem areas where women, minorities, and people with disabilities are not being used for certain jobs. The bill further requires the department to "make a good faith effort to achieve the goals."

Osskopp said that the provision sounded as though it would create quotas in state hiring and promotion practices.

Watts said that current law requires agencies to justify "missed opportunities" when making non-affirmative action hires. The law requires that agencies maintain a 25 percent or less missed opportunities rate in its appointments to open positions.

Watts said the current system could therefore be construed as relying more on quotas than the annual goal provision established in the bill, a point that Osskopp said he agreed with.

Rep. Phyllis Kahn (DFL-Mpls) said it was important to distinguish that equal opportunity is different than affirmative action. She



Michael Watts, director of the Diversity and Equal Opportunity Office at the Department of Employee Relations, testifies Feb. 27 before the House Governmental Operations and Veterans Affairs Policy Committee in support of a bill that would modify the state's affirmative action program.

pointed to the Department of Natural Resources hiring of Asian enforcement officers to better communicate with that community as an example of how service positions require diversity.

Rep. Phil Krinkie (R-Shoreview) said references in the bill to recruiting and retaining employees during a time where the private sector is laying off employees indicates that the administration doesn't see the need to reduce the state government workforce.

Watts responded that the bill would address the long-term hiring and retention practices of the state.

The bill now goes to the House floor.

State flag redesign

A new state flag may be blowin' in the wind, under a bill approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 27.

HF3556, sponsored by Rep. Ron Erhardt (R-Edina), would establish a task force to study the form, style, and design of the current state flag and suggest any changes. Consisting of three senators and three representatives, the task force would report back to the Legislature by Jan. 15, 2003.

The current flag, like 25 other state flags, is blue with an insignia, Erhardt said. The flag design has been revised over the years, with the last change coming in 1983. The current version includes the state seal surrounded by the state flower and motto, the North Star, and

19 stars representing Minnesota as the 19th state admitted to the union following the original 13.

Erhardt said the existing flag is "unremarkable and not very distinctive." "School kids couldn't tell you about it to save your soul."

Sen. Edward Oliver (R-Deephaven), the sponsor of a Senate companion bill (SF3201), said that in a session dealing with a budget deficit and other serious issues this bill adds a lighter tone to discussions. He said that since Sept. 11, there has been a greater appreciation for flags and an outpouring of people displaying the American flag.

"Flags are great symbols that arouse great passions," Oliver said.

Rep. Marty Seifert (R-Marshall) said he was concerned that if a new flag is developed it would become a "very big issue" as all those who currently fly the state flag such as municipalities, churches, VFW's, and businesses would have to buy new flags.

Oliver responded that in other states where new flags have been developed the old flags are usually phased out and the state would operate in a two-flag mode for awhile.

Rep. Eric Lipman (R-Lake Elmo) questioned whether the bill was needed. He said that if the interest is there to redesign the flag that a task force could be formed without the bill.

Rep. Phyllis Kahn (DFL-Mpls) said she thought the bill was needed because the issue would get more public attention if passed into law.

The bill now goes to the House floor.



Rep. Ron Erhardt, *left*, describes the detail in the Minnesota state flag to illustrate why a new design is needed during the Feb. 27 meeting of the House Governmental Operations and Veterans Affairs Committee. Sen. Edward Oliver, *right*, also testified in support of the bill that would establish a state flag design task force. Displayed at the committee was one possible new flag design.

★ HEALTH

Donation education

Students in driver's education programs may soon be learning about a new topic: organ donation.

A bill that passed the House Transportation Policy Committee on Feb. 26 would require that all students in driver's education be taught about organ and tissue donation.

The bill would apply to students in public and private school driver's education classes, as well as commercial driver training schools.

Rep. Carol Molnau (R-Cologne), the sponsor of HF3328, said driver's education is a good time to teach people about donation because they are about to apply for a license.

The state now allows drivers to check a box on their driver's license application or renewal forms to indicate they wish to donate their organs upon their death.

Most people support organ donation but many don't think about it when they apply for or renew their license, Molnau said.

The bill would also require the state to include a section about organ and tissue donation in the state driver's manual.

The section would include information on the shortage of organs and tissue available for donation, basic facts about donation, and the use of the driver's license as an indication of intent. It would also stress the importance of sharing donation intentions with family members.

There is currently no age restriction in law limiting who can donate organs.

The bill was approved and referred to the House Governmental Operations and Veterans Affairs Policy Committee.

HF3328 is the second measure this session dealing with organ donation. HF2473, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would make sure that those who request to donate their organs have their wishes fulfilled without interference from family members. That bill awaits action on the House floor.

★ HIGHER EDUCATION

University project requests

The University of Minnesota's 2002 capital budget request features something for each of its campuses.

University projects for 2002 total \$239.8 million, and the school seeks \$186.5 million in state financing. The rest would come from a combination of user-financed bonds and private fundraising.

The committee recommended funding for all the university projects Feb. 25 (see next higher education story).

Of the university's request, the top priority is \$80 million to invest in facility renewal, safety, disability access, and utility infrastructure. The funds would be used to complete 85 projects on all four campuses (Crookston, Duluth, Morris, and the Twin Cities), President Mark Yudof told the House Higher Education Finance Committee Feb. 22.

Gov. Jesse Ventura is recommending \$35 million, Yudof asked the committee to come as close to fully funding the needs as possible.

Of the remaining 11 projects, the university ranked the renovation, demolition, or replacement of greenhouses on the St. Paul campus to serve educational needs in agriculture, biology, and natural resources as its next priority. The university wants \$18.7 million for the project, but Ventura recommended \$3.4 million. Nearly \$6 million was appropriated two years ago for the first phase.

The lone project specific to the Duluth campus is next: a new building for the chemistry and biology programs and enhancement of other science facilities for \$22 million in state bonds.

"You don't build a great university with a 1948 chemistry building," Yudof said.

Fourth on the list is \$24 million to renovate Nicholson Hall into a freshman learning center on the Minneapolis campus. The governor is recommending \$10 million. University officials said the project would be hard to stagger over several years, so the \$10 million should go to another project if the renovation is not fully funded.

Eighth on the overall list is \$7.7 million for the demolition and replacement of Bede Hall, the student center on the Crookston campus. Built in 1921, the building's basic systems — such as mechanical and electrical — are now obsolete or nonexistent. University officials said it would be cheaper to rebuild than to renovate.

The only Morris-specific project involves renovation and expansion of the Social Science Building and the installation of fire sprinklers in three dormitories. The cost would be \$9 million; the governor is recommending no funding.

Bonding recommendations

The House Higher Education Finance Committee approved a list of \$480 million in bonding recommendations at its Feb. 25 meeting. The list featuring 40 items is now headed to the House Capital Investment Committee.

Compiled from requests by the University of Minnesota and the Minnesota State Colleges and Universities system, the final list features all items requested.

"However, we moved some things around and split some things up" in ranking the projects, said Rep. Peggy Leppik (R-Golden Valley), the committee chair.

Sharing the top spot on the list is \$70 million in infrastructure and building maintenance money for the university and nearly \$85.85 million for MnSCU. The latter could get even more as a proposed amendment would compensate for any difference between rebuilding costs and the yet-to-be-negotiated insurance settlement for the food services building at Southwest State University. A fire destroyed the previous building on Jan. 2.

Other than those projects, the top three university projects are \$1 million for the installation of a fire sprinkler system in three dormitories on the Morris campus (originally part of a combined project to renovate the Social Science building, though both projects would receive funding); \$18.7 million for renovation, demolition, or replacement of greenhouses on the St. Paul campus; and \$4 million for classroom improvements on all four campuses.

"We felt this was a life-safety issue so we split the two (Morris projects)" and moved the sprinkler system to third on the list, Leppik said.

For MnSCU, a \$9.9 million remodeling of the science building at Normandale Community College topped the list and was second overall. The other top two recommended MnSCU projects are \$30 million for a new science building at Winona State University and \$9.15 million for a classroom technology building at Alexandria Technical College.

"It's been under design," Leppik said of the Winona science building. "The current science building is in very bad shape."

Three projects that were not a part of MnSCU's original request to the governor totaling \$52.15 million were included in the committee's list but without recommendation: a \$31.15 million proposal for design and construction of a health sciences center and the University Center in Rochester, a \$3 million in infrastructure improvement at the Rochester campus, and an \$18 million request for field house additions at Bemidji State University.

Rep. Paul Marquart (DFL-Dilworth) asked Leppik what percent of the House bonding bill generally goes to higher education. She said historically it has been about one-third, and percentage-wise this plan would be a little higher.

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Equality sought

A bill concerning equity for certain teachers failed to get a vote from the House Higher Education Finance Committee Feb. 27, but progress was made.

HF2545, sponsored by Rep. Peggy Leppik (R-Golden Valley), would create a committee to study the issues of establishing bargaining units for instructors who teach in state residential facilities, including correctional facilities.

The committee would be required to submit its recommendations to the Legislature by Nov. 15, 2002. Committee members would represent the state residential school association, Minnesota State College Faculty, Education Minnesota, Minnesota State Colleges and Universities (MnSCU), and the departments of corrections and children, families and learning.

Currently within state residential facilities, particularly correctional units, there are instructors hired by the Department of Corrections that generally teach K-12 education, GED classes, and some vocational classes. Meanwhile, some other full-time instructors at the facilities are employees of the MnSCU system. They teach more college level classes.

The two collective bargaining units differ on issues like hours, wages, and benefits. Additionally, per their contract, corrections department instructors take part in safety measures such as patting down prisoners or participating in lockdown procedures.

"Our intent is to find a solution for all parties involved, especially those at the prisons," said Jeanette June, president of the State Residential Schools Education Association.

John Shabatura, MnSCU vice-chancellor for labor relations, said this matter has not been formally introduced to the Board of Trustees or the chancellor so they have no position on the bill.

Leppik said a fiscal note attached to the bill that would appropriate money for the study "came in high."

However, June, Shabatura, and Cheryl Furrer, representing Education Minnesota, agreed to meet informally to begin discussing the issue.

★ HOUSING

Lending changes

The practice of making high-cost home loans to borrowers who are unlikely to be able to pay the loan back would be prohibited, under a measure approved by the House Commerce, Jobs, and Economic Development Policy Committee Feb. 26.

Rep. Jim Rhodes (R-St. Louis Park), the

sponsor of HF3434, said the bill was a compromise reached between those in the lending industry, groups that have been targeted by the practice known as "predatory lending," the state Department of Commerce, and other interested parties.

The committee adopted a delete-all amendment to the bill that reflects the compromise. "Predatory lending is alive and well in Minnesota," Commerce Commissioner Jim Bernstein said, adding that the practice is not illegal.

Though not perfect, Bernstein said the compromise would give the department a tool to stop the practice that "tears the heart out of a lot of people in Minnesota."

The amended bill includes a disclosure requirement, that among other provisions, requires the department to develop a "simple disclosure notice written in plain language, easily readable and understandable by a person of average intelligence and education" that would be given to all applicants providing information about high-cost home loans.

The disclosure also requires that the lender encourage borrowers to seek independent home loan credit counseling.

Tara McCarthy, a certified credit counselor, said people affected by predatory lending are generally those who want to pay the loan but do not have the financial ability.

"This will help curb some of the practices that are intentionally putting consumers at harm," she said.

Rep. Karen Clark (DFL-Mpls) spoke against a successful amendment that would change the applicable interest rate threshold criteria.

Prior to the amendment, the bill would have applied to first lien mortgage loans with an interest rate that equals or exceeds six percentage points over the weekly average yield on five-year United States Treasury securities.

Under the amendment, a standard set in a federal code of regulations would apply. Bernstein said the current interest rate using those standards is 12.1 percent.

Clark said that rate was too high. "We're not going to help a lot of people who desperately need it," she said.

Rhodes said the bill was not aimed at "good people who do the right thing. We're going after the bad actors."

The bill now goes to the House Civil Law Committee.

Paperless filings

A plan to allow real estate documents to be filed electronically made its way through the House Civil Law Committee Feb. 27.

HF3587 is the result of a task force created two years ago, said Rep. Ray Vandever (R-Forest Lake), the bill sponsor.

Bert Black, a legal analyst with the secretary of state's office, said current law only allows real estate documents to be filed in paper form.

The bill also allows electronic signatures and seals to be used as part of the pilot project implemented by the task force in 2000.

Under current law, real estate documents have to meet seven requirements including the size and weight of the paper, margin size, and title.

There is a \$10 filing fee for documents that do not meet all of the standards.

The bill would also make it clear that the electronically filed documents are not subject to that fee, Black said.

It would also continue the task force study that is set to expire June 30, 2003. The expiration date would be pushed back one year to allow the task force to see how the filing is working, Black said.

The bill was approved by the committee and sent to the House Governmental Operations and Veterans Affairs Policy Committee because it involves a government task force.

HUMANITIES



Money for libraries

Local communities may receive some state assistance to help build or renovate libraries, under a bill approved Feb. 25 by the House Family and Early Childhood Education Finance Committee.

HF3005, sponsored by Rep. Larry Howes (R-Walker), would set up the Mighty Books grant program to allow libraries to apply for state money. The libraries must provide a 70 percent match of local money to qualify.

Grants awarded would be the lesser of \$500,000 or 50 percent of the total project cost.

Committee chair Rep. Barb Sykora (R-Excelsior) said the bill would be the first time the state has bonded to provide money for local libraries.

There are many libraries across the state that are old, in bad condition, or just need more space, Howes said.

The bill originally requested \$18 million for the grant program, and only required a 50 percent local match, but Sykora said given the tight budget this year, that amount was not likely to be approved.

Instead, the committee agreed to recommend to the House Capital Investment Committee approval of \$3 million for the program, with a 70 percent local match. The Senate is recommending \$1 million, Sykora said.

Although raising the matching requirement to 70 percent may cause some libraries to scramble for money, Sykora said it would also make the grant program more appealing to the bonding committee.

The committee heard several proposals for local library projects this session. Instead of addressing each individual project, committee members said that the libraries would be eligible for Mighty Books grants.

Libraries in Fergus Falls, Pine River, Fosston, and Cross Lake requested a total of \$3.1 million.

Howes noted that a lot of state money is spent on sports facilities, but libraries are much more important.

"When kids look up at the scoreboard, I would hope that they could read it," he said.

LAW



Bus driver checks

A bill designed to give the state more freedom in deciding who sits behind the wheel of a school bus was approved by the House Crime Prevention Committee Feb. 22.

HF2232, sponsored by Rep. Dan Larson (DFL-Bloomington), would give the state

SUPPORTING MENTAL HEALTH



PHOTO BY ANDREW VON BANK

Hundreds of people take part in a Feb. 26 rally in the Capitol Rotunda as part of Mental Health Day on the Hill, an annual event sponsored by the Mental Health Legislative Network. The event is designed to encourage support of public mental health policies.

Where to find information

Chief Clerk's Office

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public safety commissioner greater authority to deny school bus endorsements to people who have had a gross misdemeanor or a series of violations that show the person is a risk to public safety. It now goes to the House floor.

Current law denies a school bus endorsement to those who have been convicted of a gross misdemeanor drug or alcohol violation, as well as those who have been convicted of a felony.

Drivers who have had four moving violations within the past three years are also not granted a bus endorsement.

Larson said the bill is needed because authorities are currently unable to deny an endorsement to people who have been convicted of certain gross misdemeanors, such as possession of an illegal firearm, or have a history of repeated criminal behavior.

Capt. Ken Urquhart of the Minnesota State Patrol spoke in favor of the bill.

Driving a bus isn't an easy job, and if the person can't deal with their own life, maybe they shouldn't be driving a bus, he told the House Transportation Policy Committee at its Feb. 19 meeting.

Urquhart said the Department of Public Safety allows drivers who are denied an endorsement to apply for a waiver.

"We would just like to look at more of these cases," he said.

Some committee members questioned how the commissioner would be able to determine who is a risk to public safety.

"We can't predict it, but we know it when we see it," he said.

★ LOCAL GOVERNMENT

Commission size increase

The state's public utilities commissioner population would continue to grow under a measure approved by the House Local Government and Metropolitan Affairs Policy Committee Feb. 25.

Rep. Steve Smith (R-Mound), the sponsor of HF3202, said the bill would increase the Delano Public Utilities Commission from three members to five. He said it is similar to HF2624 that passed the House floor on Feb. 11. That bill expands the Shakopee Public Utilities Commission from three members to five.

The city of Grand Rapids received the same authority from the Legislature in 1999.

Public utilities commissions are responsible for the management of publicly owned water and electric utilities. HF3202 would maintain staggered three-year terms for the Delano commission and would prohibit more than one city council member from serving on the commission at any time.

Phil Kern, the Delano city administrator, said that since the commission was formed in 1936 the city's population has quadrupled and the commission's budget has increased 800 percent. The current budget is around \$2.8 million.

Rep. Mark Buesgens (R-Jordan), who sponsored HF2624 on behalf of the city of Shakopee, said that if he is a member of the 2003 Legislature he intends to sponsor a bill that would give similar authority to public utilities commissions throughout the state.

The bill now goes to the House floor.

Appointing positions

Soil and water conservation board supervisors would be appointed in Hennepin County, under a measure approved Feb. 25 by the House Governmental Operations and Veterans Affairs Policy Committee.

HF2252, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), would allow the Hennepin County Board of Commissioners to divide the county into five districts and appoint the supervisors.

Under current law, soil and water supervisors run at-large in counties for four-year terms, except in Ramsey and Washington counties. The Legislature has allowed supervisors in those counties to run by district.

Hilstrom said that HF2252 would make Hennepin County the lone county in the state to appoint its soil and water conservation board supervisors.

Karen Johnson, chair of the current Hennepin County Soil and Water Conservation District Board, said board members support the bill. She said it is difficult to attract people to run for the positions, and the bill would allow the county board to establish an application process that would yield qualified individuals for the positions.

Because voters are generally unaware of who the candidates are, Johnson said appointing supervisors would serve county residents better even though there was a chance she would not be appointed, "and that would break my heart." She said she ran unopposed in her last two elections.

Rep. Tony Kielkucki (R-Lester Prairie) said he was against the bill because conservation issues can often be contentious, and it is important to have accountable elected officials.

Just because some public officials are appointed rather than elected doesn't necessarily mean they are less accountable, countered Rep. Mark Gleason (DFL-Richfield). He noted that he was impressed in dealing with the appointed Minnehaha Creek Watershed District members while working on issues

surrounding Camp Coldwater Springs.

Rep. Len Biernat (DFL-Mpls) said he supported the bill because it was unrealistic to expect soil and water supervisors, elected at the county level, to "door knock" on the doors of the 500,000 voters in Hennepin County.

The bill now goes to the House Environment and Natural Resources Policy Committee.

★ METRO AFFAIRS

Improvements for communities

A bonding request of \$10 million for the Livable Communities Act was presented to the House Jobs and Economic Development Finance Committee Feb. 22.

The bill (HF3446), sponsored by Rep. Jim Abeler (R-Anoka), would fuel a fund that distributes grants to cities in the Twin Cities metropolitan area.

Overseen by the Metropolitan Council, the Livable Communities Act was established by the Legislature in 1996. Three separate accounts are dedicated to cleaning up polluted land; revitalizing communities and promoting efficient development; and providing affordable housing to people with moderate incomes, according to council literature.

Ramsey Mayor Tom Gamek said his city is a recipient of Smart Growth. He said it was a great opportunity to develop a downtown center, which includes housing and transportation.

"We're using the land for the best ability we can," Gamek said.

Plymouth Mayor Mary Tierney said the Livable Communities Act helped considerably with funds of \$200,000 to address the city's problem of affordable housing.

An advisory committee decides how to distribute the funds, said Caren Dewar, deputy regional administrator for the Metropolitan Council. She said the programs are competitive, available to all cities, and for public improvements only.

Potential projects include: \$1.2 million for construction of a town center in Mendota Heights, \$1 million for redevelopment of a boulevard in Coon Rapids, and \$1 million for a skyway system in Richfield.

The bill has been recommended for inclusion in the committee's omnibus bill.

Personal rapid transit plan

A House committee has approved a plan that would appropriate \$400,000 to the University of Minnesota to study viability and application of personal rapid transit on the Twin Cities campus and the nearby state fairgrounds.

The bill (HF3320), sponsored by Rep. Mark

Olson (R-Big Lake), would also appropriate \$4.8 million in general obligation bonds to the university to develop and construct a personal rapid transit system of at least one-third mile at the campus and the fairgrounds.

Witnesses at the hearing indicated the bill would likely be scaled back to only call for the university study, rather than full development of the project.

The House Transportation Policy Committee approved the bill Feb. 22.

Personal rapid transit involves a system of small cars that accommodate one or two people and operate on elevated guideways. The cars would go from station to station, as the riders direct them, requiring only one fare for the entire car full and ride.

Taxi 2000, a Fridley company that has developed personal rapid transit technology, is developing a test track in Fridley that should be complete within 12 months, said Joseph Lampe, vice president for the company. The track is being funded with \$1 million from private sources.

Lampe testified that personal rapid transit has low construction and maintenance costs. In addition, it reduces congestion, he said, because it operates on raised platforms and does not have to contend with regular traffic like buses or light-rail transit would.

Industry officials also say it would pay for itself within a few years of development.

Olson testified that the university and the fairgrounds are a good place to test the system because of the thousands of staff and students on the campus every day and the 1.6 million people who attend the state fair during its 12-day run every year.

The bill now moves to the House Transportation Finance Committee.

★ MILITARY

Draft registration dilemma

The House Governmental Operations and Veterans Affairs Policy Committee heard a proposal (HF3457) Feb. 21 that would automatically register men for selective service when they receive a driver's license or state identification card.

Committee chair Rep. Jim Rhodes (R-St. Louis Park) who sponsored the bill pulled it from immediate consideration after members expressed concern about the automatic registration process.

Minnesota Selective Service Director John Fitzgerald said Minnesota ranks in the top 10 in the nation with a 93 percent registration rate. He said the percentage drops, however, among immigrants and high school dropouts.

Fitzgerald said that men who fail to register

before they turn 26 years old lose all rights to federal education assistance money, cannot apply for federal jobs, and lose the ability to become citizens.

Rep. Phyllis Kahn (DFL-Mpls) said the bill would take away the rights of those who wish to protest the registration process. She said that women aren't allowed to register and thus some men might morally object to the entire process as being discriminatory.

A better approach might be to notify people who get a driver's license or identification card of the requirement to register for the draft, said Rep. Bill Hilty (DFL-Finlayson).

Fitzgerald said that the bill would not cost the state any money and that a notification system might need state dollars to implement and run.

Rep. Phil Krinkie (R-Shoreview) said the bill was "as dumb as we can get" and instead of automatically registering people the thrust of the bill should be reversed.

"This bill highlights my firm faith belief in all the things government shouldn't do," Krinkie said, pointing out that the draft was abolished in 1974. "We're trying to perpetuate a system that does absolutely nothing. We want to make felons out of 18-year-old men who fail to supply government with their names and addresses so they can be notified about something that doesn't exist."

Krinkie said the committee should amend the bill into a resolution instructing Congress to finally abolish the selective service registration system.

★ RECREATION

Owning a team

Those who have always wanted to own a major league baseball team would get that opportunity, under a community ownership

NATIVE SPEAKER



PHOTO BY TOM OLMSCHIED

American Indian activist Clyde Bellecourt is framed by an Eagle Staff as he speaks in the Rotunda during the first Metro Urban Indian Day Feb. 27.



Julian Loscalzo testifies Feb. 25 before the House Governmental Operations and Veterans Affairs Policy Committee in support of a bill that would provide a Minnesota Twins community ownership process.

bill approved Feb. 25 by the House Governmental Operations and Veterans Affairs Policy Committee.

HF2587, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would allow people to buy stock in the team up to a limit of 75 percent public ownership.

She said the bill is separate from the stadium issue, but if the community owned the team it would remove threats to relocate or contract the Twins and thus be a first step toward a more "rational" discussion on the merits of a publicly financed ballpark.

"When you take a train from Boston to New York you have to go through New Haven first," she said.

The bill would require that a managing owner hold 25 percent of the team's stock and would be responsible for the day-to-day operations. Two classes of stock would be established, "Class A," that would allow owners full voting rights on all matters, and less expensive "Class B" certificates that would only allow stockholders to vote on relocation matters.

Rep. Philip Krinkie (R-Shoreview) questioned whether the bill would accomplish anything.

"There is no impetus to push Major League Baseball to do this. Why would they want to do this?" he said. "Billionaire blackmail is an easy game to play. The idea of contraction is just a myth."

Julian Loscalzo, who spoke in support of the bill, said there are currently some clubs that operate under a similar structure. Loscalzo said that Arizona Diamondbacks owner Jerry Colangelo owns only 6 percent of the team.

Kahn said the plan is similar to one agreed upon in 1997 by Twins owner Carl Pohlad. She said she has spoken with at least one member of the Pohlad family who indicated some interest in the plan.

She said the bill is not required for the team to offer something similar on its own, but the Legislature would send a message about the importance of the team as a community asset by passing the measure.

The bill now goes to the House floor.

★ RETIREMENT

LTV pension concerns

**Signed
by
the
governor
★ ★ ★**

Gov. Jesse Ventura signed a resolution Feb. 27 that claims laid off LTV steel mining workers were given "virtually no notice" of the termination of their pension plan and calls for action on their behalf.

The resolution states that the Minnesota Legislature urges the pension corporation to delay terminating the LTV Steel Mining Pension Plan until March 2003 in order to enable the employees of LTV and the state "to study possible alternatives to a Pension Benefit Guaranty Corporation distressed termination."

Besides the pension corporation, the president of the U.S. Senate, the speaker of the U.S. House of Representatives, and several federal administrators will receive a copy of the resolution.

The pension corporation gave plan participants 45 days notice of its intention to terminate the pension plan, based on their analysis that the plan is no longer fully funded, according to the resolution.

About 3,500 Minnesotans are either collecting or are eligible for a fully funded pension.

The LTV mining plant in Hoyt Lakes shut down in August 2000, and went bankrupt in February 2001.

Rep. Tom Bakk (DFL-Cook) sponsored the resolution in the House, and Sen. David Tomassoni (DFL-Chisholm) carried it in the Senate.

The measure passed the House 119-0 on Feb. 18 and the Senate by a vote of 64-0 on Feb. 14.

HF3411/SF3207*/R7

★ TAXES

City aid changes

In 1972 the state's local government aid program was created to provide property tax relief. By providing state aid to local units of government, policymakers expected the need to raise local property taxes would be diminished.

Beginning in 1994 a new formula was established, that focused more on needs as determined by total population, population decline, the amount of housing built before 1940, and the percent of a city's tax base classified as commercial and industrial.

At that time, several communities were grandfathered in under the previous standards to protect them from suffering too steep a decline in aid.

However, a proposal (HF3454) heard by the Property Tax Division of the House Taxes Committee Feb. 25 would switch those excepted communities to the standard now in practice.

Rep. Ann Lenczewski (DFL-Bloomington), the sponsor of the measure, said that under the current system 63 percent of the \$565 million in aid is determined by the grandfather provisions.

"There is an inherent unfairness in the system," she said. "We are pumping money into a system that's faulty."

Lenczewski added that she realized it would be difficult to pass the bill since many cities would see a decrease in aid under the plan and thus representatives from those areas would likely oppose the bill.

"It will take a lot of courage to do something like this but it's the right thing to do," she said.

The bill would provide that an increase in the total local government aid appropriation a community receives above the 2002 appropriation would result in an equal decrease in the amount of aid paid to cities governed by the former formula. That money would be redistributed according to the updated formula.

Under the bill, the city of Rochester would see a decrease in aid of \$115,934 when compared with the current law, and payments to Richfield would be decreased by \$93,471. On the other hand, Chaska would receive \$31,199 more and Brainerd would see a \$26,026 increase.

Lenczewski said her own city, Bloomington, would see a reduction in aid of \$11,702, but that creating a fairer system is the goal of the legislation.

Rep. Bob Milbert (DFL-South St. Paul) said he supported the bill but would eventually like to see the Legislature move to a system where the aid went directly to taxpayers and not to local government.

The bill will be considered for possible inclusion in a potential omnibus tax bill.

Recreational property

Cabin owners would see reduced property taxes under a measure heard by the Property Tax Division of the House Taxes Committee Feb. 25.

HF2630, sponsored by Rep. Ron Erhardt (R-Edina), the division chair, would exempt noncommercial seasonal recreational property from the state's general levy.

As part of the changes to the state's property tax laws last year, a new statewide general tax levied on commercial-industrial and seasonal-recreational properties was established. Future growth of the tax was dedicated to education funding.

Despite promises that all properties would see relief under the changes, Erhardt said that seasonal recreational property has seen "virtually less property tax relief than any other property."

He said it is unfair that cabin owners who don't send their children to the school district where the cabin is located are still required to pay property taxes for those schools.

Niles Zickman, president of the Minnesota Seasonal Recreational Property Owners Coalition, said members of the coalition are not opposed to "paying our fair share, but we have been paying more than our fair share."

Zickman said many of the state's cabin owners are second- and third-generation owners of the property that has been handed down in the family and are not "rich cabin owners."

The bill would not generate more overall tax revenue but would increase the taxes paid by commercial-industrial property owners by \$27.9 million to make up for the reduction to seasonal-recreational property.

That shift concerns the Minnesota Chamber of Commerce. Tom Hesse, representing the chamber, said the shift would create an unfair tax burden particularly on owners of small businesses.

Hesse said that although commercial-industrial properties would only see a 1.5-percent increase statewide, the increase for those properties in areas with a large amount of seasonal-recreational properties would be much higher.

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

While the committee voted to move the bill to the House Transportation Finance Committee, members did so without any recommendation.

HF3415, sponsored by Rep. Tom Workman (R-Chanhassen), would raise the state gas tax from 20 to 25 cents per gallon and the tax would be indexed, or increased as necessary each year based on the consumer price index, which helps measure inflation.

In addition, the bill would place a constitutional amendment on the November 2002 general election ballot to dedicate at least 32 percent of motor vehicle sales tax revenues to highways. About 30 percent of those proceeds are dedicated to highways, under current practice, which is governed by law, not the constitution.

The bill would also appropriate \$400,000 in trunk highway bonds, allowing the commissioner of transportation to spend the money with the following guidelines: 50 percent each year to alleviate bottlenecks in the Twin Cities metropolitan area and 50 percent each year for at-risk interregional corridors in Greater Minnesota.

Under the bill, gas tax increases would take effect July 1, 2002.

Rep. Mary Liz Holberg (R-Lakeville) said she is uncomfortable with the idea of indexing the gas tax in future years. Workman said that it's a difficult choice, but the Legislature has shown a historic reticence to raise the tax even though road maintenance calls for it. Gas taxes have not been raised since 1988.

"We need to do those uncomfortable things that we don't like to do," he said.

Members agreed that a long-term funding solution for road systems needs to be in place. In addition, they said they should only be concerned with Minnesota's needs and let surrounding states such as Iowa and South Dakota — which have lower fuel taxes — take care of themselves.

"We need to take care of our roads for our people," said Rep. Ted Winter (DFL-Fulda). "We need to move that up a little bit."

Rep. Alice Hausman (DFL-St. Paul) agreed that road funding is warranted but said any increase in gas taxes should not be limited to funding roads and bridges alone. Other transit options, such as commuter rail, should also be considered.

In response, the Legislature commissioned a study group to determine alternative methods for funding local road improvement projects.

The result of the study is a proposal to create a fund in the state treasury and appropriate funds to be disbursed to cities, counties, and townships in the form of grants or loans.

The proposal is contained in a bill (HF3602), sponsored by Rep. Carol Molnau (R-Cologne). The bill was approved Feb. 22 by the House Transportation Policy Committee and now goes to the House Transportation Finance Committee.

"The huge challenge that counties and cities are facing is not just maintenance, but in expanding capacity," said Fred Corrigan, executive vice president of the Minnesota Transportation Alliance.

The bill would establish the fund and would authorize \$50 million in general obligations bonds in the 2002 bonding bill for the fund. Two accounts would be established — one for trunk highway corridor projects and one for local roads representing routes of regional significance.

Projects would be evaluated for funds based on several criteria, including project significance, the number of people it affects, and the local government's ability to maintain the project once completed.

In addition, the bill stipulates that the money be spent for local costs not otherwise covered by state or federal funds.

Dave Callister, city administrator for Osseo, testified in favor of the bill, calling it a positive move forward. Osseo, a town of about 2,500 people in northwest Hennepin County, falls under the population threshold for most state-aid programs and yet its main street bears traffic loads of several thousand motorists daily due to its location between Maple Grove and Brooklyn Park — both rapidly growing communities.

"I'm not sure Osseo will benefit from it, but like I said, it is a step in the right direction," Callister said. "I don't think population is a good way to give out aids to local governments."

Though Rep. Henry Kalis (DFL-Wells) questioned the use of general obligation bonds for highway purposes, he supported the bill's concept and reasserted the need for better roads in Greater Minnesota.

"I don't know how much more need we need to show before somebody has the courage to do something," he said.

★ TRANSPORTATION

Gas tax increase advances

Members of the House Transportation Policy Committee heard a bill Feb. 22 that would increase the state gas tax and would change the way certain transportation funds are allocated.

Local road improvement fund

During the 2001 session, legislators and local officials expressed concern that the current state funding system for highways does not provide enough resources to local agencies looking to improve their roads.

Electric transport devices

The first consumer models of a new mode of transportation just went up for auction online, but state legislators are preparing for what could be a very popular way to get around.

The Segway Human Transporter, a cross between a scooter and a vehicle, is described on the company's Web site as a "self-balancing, electric-powered personal transportation machine."

Three of the machines are now available on an Internet site for more than \$100,000 each.

Although they might be too expensive for most consumers now, technology and popularity might drive prices down and the machines may start showing up in the state within a few years. As a result, the House Transportation Policy Committee approved a bill Feb. 21 that would limit use of the Segway and other devices to sidewalks and bike paths, and would limit the speed to 15 mph.

The electric devices carry one person and

react to the rider's movements. They do not have brakes or a steering wheel, but respond to the riders balance. Leaning forward slightly will make them go, leaning back slightly will make them stop, explained Douglas Franzen, representing the company that makes the machines.

"We have a new creature here," he said, "It is not a car, it's not a motor vehicle."

HF2882, sponsored by Rep. Tom Workman (R-Chanhassen), now goes to the House floor.

Rep. Carol Molnau (R-Cologne) said the Segway presents an interesting addition to current modes of transportation. Although they are not realistic for long-distance travel, light-rail transit users could use it to get to and from the stations, she said.

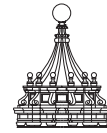
She also commended the committee for being proactive in regulating the transporters before they become a problem.

The committee's discussion also raised questions about electronic wheelchairs.

Current law is vague about whether electric wheelchairs are motor vehicles. If they

were defined in law as a motor vehicle, the state would require them to be licensed and registered.

Rep. Al Juhnke (DFL-Willmar), suggested that electric wheelchairs be added to the bill when it is discussed on the House floor.



NOTES

Caroline Innerbichler, an Eagan eighth grader, explained to legislators why an elevator is so badly needed at the Children's Theatre.

"The elevator is slower than our governor receiving the budget bill," she said at a Feb. 25 hearing of the House Jobs and Economic Development Finance Committee.

"At least the elevator gets to its destination," replied Committee Chair Dan McElroy (R-Burnsville).

Minnesota House and Senate Membership

1 A • Rep. Maxine Penas-(R) B • Rep. Tim Finseth-(R) Sen. LeRoy A. Stumpf-(DFL)	15 A • Rep. Al Juhnke-(DFL) B • Rep. Gary W. Kubby-(DFL) Sen. Dean E. Johnson-(DFL)	29 A • Rep. Jerry Dempsey-(R) B • Rep. Mike Oskopp-(R) Sen. Steve Murphy-(DFL)	43 A • Rep. Tom Workman-(R) B • Rep. Barb Sykora-(R) Sen. Edward C. Oliver-(R)	57 A • Rep. Nora Slawik-(DFL) B • Rep. Sharon Marko-(DFL) Sen. Leonard R. Price-(DFL)
2 A • Rep. Bernie L. Lieder-(DFL) B • Rep. Rod Skoe-(DFL) Sen. Roger D. Moe-(DFL)	16 A • Rep. Joe Opatz-(DFL) B • Rep. Jim Knobloch-(R) Sen. Dave Kleis-(R)	30 A • Rep. Fran Bradley-(R) B • Rep. Gregory M. Davids-(R) Sen. Sheila M. Kiscaden-(R)	44 A • Rep. Betty Follardi-(DFL) B • Rep. Jim Rhodes-(R) Sen. Steve Kelley-(DFL)	58 A • Rep. Joe Mullery-(DFL) B • Rep. Gregory Gray-(DFL) Sen. Linda Higgins-(DFL)
3 A • Rep. Irv Anderson-(DFL) B • Rep. Loren A. Solberg-(DFL) Sen. Bob Lessard-(IP)	17 A • Rep. Sondra Erickson-(R) B • Rep. Leslie J. Schumacher-(DFL) Sen. Dan Stevens-(R)	31 A • Rep. William Kuisle-(R) B • Rep. Gregory M. Davids-(R) Sen. Kenric J. Scheevel-(R)	45 A • Rep. Ron Abrams-(R) B • Rep. Peggy Leppik-(R) Sen. Martha R. Robertson-(R)	59 A • Rep. Len Biernat-(DFL) B • Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
4 A • Rep. Doug Fuller-(R) B • Rep. Larry Howes-(R) Sen. Anthony G. "Tony" Kinkel-(DFL)	18 A • Rep. Rob Eastlund-(R) B • Rep. Loren Geo Jennings-(DFL) Sen. Twyla Ring-(DFL)	32 A • Rep. Gene Pelowski Jr.-(DFL) B • Rep. Michelle Rifenberg-(R) Sen. Bob Kierlin-(R)	46 A • Rep. Mark Thompson-(DFL) B • Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	60 A • Rep. Margaret Anderson Kelliher-(DFL) B • Rep. Scott Dibble-(DFL) Sen. Myron Orfield-(DFL)
5 A • Rep. Tom Rukavina-(DFL) B • Rep. Anthony "Tony" Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	19 A • Rep. Mark Olson-(R) B • Rep. Bruce Anderson-(R) Sen. Mark Ourada-(R)	33 A • Rep. Arlon Lindner-(R) B • Rep. Rich Stanek-(R) Sen. Warren Limmer-(R)	47 A • Rep. Darlene Luther-(DFL)* B • Rep. Debra Hillstrom-(DFL) Sen. Linda Scheid-(DFL)	61 A • Rep. Karen Clark-(DFL) B • Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
6 A • Rep. Thomas (Tom) Bakk-(DFL) B • Rep. Thomas Huntley-(DFL) Sen. Douglas J. Johnson-(DFL)	20 A • Rep. Robert "Bob" Ness-(R) B • Rep. Tony Kielucki-(R) Sen. Steve Dille-(R)	34 A • Rep. Steve Smith-(R) B • Rep. Jeff Johnson-(R) Sen. Gen Olson-(R)	48 A • Rep. Bill Haas-(R) B • Rep. Connie Bernady-(DFL) Sen. Don Betzold-(DFL)	62 A • Rep. Jim Davnie-(DFL) B • Rep. Wes Skoglund-(DFL) Sen. Julie A. Sabo-(DFL)
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8 A • Rep. Mary Murphy-(DFL) B • Rep. Bill Hilty-(DFL) Sen. Becky Lourey-(DFL)	22 A • Rep. Ted Winter-(DFL) B • Rep. Elaine Harder-(R) Sen. Jim Vickerman-(DFL)	36 A • Rep. Chris Gerlach-(R) B • Rep. Dan McElroy-(R) Sen. David L. Knutson-(R)	50 A • Rep. Tom Hackbarth-(R) B • Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	64 A • Rep. Matt Entenza-(DFL) B • Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
9 A • Rep. Kevin Goodno-(R) B • Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	23 A • Rep. James T. Clark-(R) B • Rep. Howard Swenson-(R) Sen. Dennis R. Frederickson-(R)	37 A • Rep. Dennis Ozment-(R) B • Rep. Mary Liz Holberg-(R) Sen. Pat Pariseau-(R)	51 A • Rep. Andrew Westerberg-(R) B • Rep. Ray Vandever-(R) Sen. Jane Krentz-(DFL)	65 A • Rep. Andy Dawkins-(DFL) B • Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
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12 A • Rep. Dale Walz-(R) B • Rep. Greg Blaine-(R) Sen. Don Samuelson-(DFL)	26 A • Rep. Bob Gunther-(R) B • Rep. Henry J. Kalis-(DFL) Sen. Chuck Fowler-(DFL)	40 A • Rep. Dan Larson-(DFL) B • Rep. Ann Lenczewski-(DFL) Sen. David H. Johnson-(DFL)	54 A • Rep. Mary Jo McGuire-(DFL) B • Rep. Mindy Greiling-(DFL) Sen. John Marty-(DFL)	
13 A • Rep. Torrey Westrom-(R) B • Rep. Doug Peterson-(DFL) Sen. Charles A. Berg-(R)	27 A • Rep. Dan Dorman-(R) B • Rep. Rob Leighton-(DFL) Sen. Grace S. Schwab-(R)	41 A • Rep. Alice Seagren-(R) B • Rep. Ken Wolf-(R) Sen. William V. Belanger Jr.-(R)	55 A • Rep. Harry Mares-(R) B • Rep. Scott Wasiluk-(DFL) Sen. Charles W. Wiger-(DFL)	
14 A • Rep. Steve Dehler-(R) B • Rep. Doug Stang-(R) Sen. Michelle L. Fischbach-(R)	28 A • Rep. Connie Ruth-(R) B • Rep. Steve Sviggum-(R) Sen. Dick Day-(R)	42 A • Rep. Ron Erhardt-(R) B • Rep. Erik Paulsen-(R) Sen. Roy Terwilliger-(R)	56 A • Rep. Mark William Holsten-(R) B • Rep. Eric Lipman-(R) Sen. Michele Bachmann-(R)	

***Rep. Darlene Luther passed away Jan. 30. A special election will fill her seat Mar. 4.**

Second time's a charm

Ventura vetoes House-Senate budget plan, but Legislature overrides veto, making plan law March 1

By DAVID MAEDA



Gov. Jesse Ventura

It took two tries but the House voted 99-33 Feb. 27 to override Gov. Jesse Ventura's veto of a budget bill (HF351*/SF254) that addresses much of the state deficit for the current biennium.

Needing two-thirds of the body (90 members) to vote to override the veto, the motion offered by Rep. Dave Bishop (R-Rochester) failed the previous day by an 87-44 vote.

The Senate voted to override the veto on Feb. 28 by a 60-7 vote. Most of the provisions in the law become effective March 1.

It is the seventh time the Legislature has overridden a Ventura veto, but it's the first veto of such a significant provision.

The House override came two days after the Department of Finance projected the deficit for 2002-2003 will grow up from the \$1.95 billion forecasted in November to \$2.3 billion.

"(The bill) meets the governor's challenge that he gave us before the session began, to work together and to meet the \$1.953 (billion) shortfall and do it quickly," Bishop said Feb. 26.

The new law will spend \$1.59 billion from various state reserve accounts and one-time spending reductions and make \$374 million in permanent spending cuts.

In his veto message, Ventura called the bill "irresponsible" because it uses all the budget reserves without providing a plan to replace them, which could have a negative effect on the state's bond rating. Ventura wrote that unless significant revenues were raised or there were "drastic cuts to education and local government" in the next bill addressing the deficit,

the state would be set up for an "even more severe crisis next year."

House DFL members expressed concern over the amount of education cuts in the bill that would have to occur over the next biennium if the economy fails to improve.

Rep. Betty Folliard (DFL-Hopkins) said the bill was put together too hastily and was irresponsible for not including inflation increases in its totals. "What we've got in front of us is an imaginary solution to a real problem," she said during floor debate.

House Minority Leader Tom Pugh (DFL-South St. Paul) said he received a commitment from Ventura to increase education spending by 2.5 percent in each of the next two years if there were a bill with sufficient revenue sources to fund the increases. Since it is unclear whether the House will produce an omnibus tax bill this session, Pugh said members had to weigh the governor's commitment against other issues.

Rep. Kevin Goodno (R-Moorhead), chair of the House Health and Human Services Finance Committee, said eliminating all cuts to education would require the area of health and human services to take an even bigger cut, including probable cuts to medical assistance

and general assistance programs. Health and human services already will receive the largest cut at \$95.9 million.

The new law will cut \$15 million in the area of K-12 education and \$50 million for higher education. Rep. Harry Mares (R-White Bear Lake), chair of the House Education Policy Committee, said if the override failed it would have meant deeper cuts to schools. In his budget balancing proposal Ventura recommended \$100 million in cuts to K-12 education for 2002-2003 and \$70 million for higher education.

"We've kept the cuts, especially in the K-12 area, to a minimum," Mares said.

House Majority Leader Tim Pawlenty (R-Eagan) assured members that the House would try to avoid further education cuts. "It's extremely unlikely. In fact I would say that there will be no further cuts to K-12 and higher ed.," he said.

Rep. Gregory Gray (DFL-Mpls) asked whether the assurance also applied to the area of family and early childhood education. Pawlenty said that area received one of the smallest cuts at \$4 million with much of that being replaced with federal dollars, thus the same commitment could not be made.

Gray said further cuts in the area should be carefully considered. "There isn't a lot of fat in (the family and early childhood) program," he said.

Rep. Philip Krinkie (R-Shoreview) was one of two House Republicans to vote against the override Feb. 27. Rep. Mark Olson (R-Big Lake) was the other. Krinkie said the cuts to state government did not reflect the deeper

cuts being felt by the private sector.

"For those of you who think we can hold education harmless, you're wrong. You know we can't do that unless we raise taxes," Krinkie said. "There are a lot of organizations that are happy. There are a lot of organizations that want us to override the veto so that we can pretend that we've solved this problem."


Rep. Rich Stanek (R-Maple Grove) sponsored the bill in the House and Sen. Doug Johnson (DFL-Tower) sponsored it in the Senate. 



PHOTO BY TOM OLMSCHIED

Speaker of the House Steve Sviggum announces the 99-33 vote Feb. 27 to override the governor's veto of the bipartisan budget-balancing bill.

Forecast fallout

New economic report projects higher deficit, but officials say economy should improve slowly

BY THERESA STAHL

A new economic forecast projects a \$2.3 billion deficit for the biennium ending June 30, 2003, roughly \$330 million more than November's estimate.

At a Feb. 25 press conference, State Economist Tom Stinson attributed the lost revenue primarily to the individual income tax, citing weak wage growth and declining employment.

Lower end-of-year bonuses and a decline in giving out stock options, both of which are treated as wages, also contributed to the estimate. Income taxes make up the largest part of Minnesota's tax base.

A lower-than-estimated tax base, as well as losses mainly from individual income tax and corporate tax, also contributed to a larger deficit calculation. However, Stinson said the worst is likely over, even though income revenue is still down.

"The recession is not as severe (as past recessions) and we're actually expecting economic growth," Stinson said.

But Minnesota will not see improvement until unemployment and wages turn around, said Finance Commissioner Pam Wheelock.

"Minnesota seems to be recovering more slowly than the national average," Wheelock said.

The seasonally adjusted rate of unemployment for Minnesota in January was 4.1 percent, compared with 5.6 percent nationally. In December 2001, Minnesota's rate was 4 percent while nationally it was 5.8 percent.

States with manufacturing economies took a harder hit, Stinson said. Minnesota had the seventh largest total employment decline of any state at the end of December.

The large drop may be because Minnesota had such a low unemployment rate at the start of the economic downturn, Wheelock said. Vehicle purchases, home buying, and other consumer spending have sustained numbers to some degree.

The attacks of Sept. 11 contributed to Minnesota's economic slump, but Wheelock said the New York tragedy is not entirely responsible. The economy was already beginning to decline, she said.

Speaker of the House Steve Sviggum (R-Kenyon) noted that forecasts have historically been off by several hundred million dollars.

"We know the forecast will be wrong," he said, "But we don't know which way."

State law requires the Department of Finance to prepare forecasts of state revenues and expenditures, primarily for purposes of the governor and Legislature to determine whether current budgets remain in balance and to plan for future budgets.

The department contracts with Data Resources, Inc. to perform the forecast. Last November's forecast was the first in nine years that projected a deficit for the state.

But Sviggum was optimistic, saying he thinks the economy will grow better and the state will soon be out of the recession.

Full recovery from the recession will require stronger consumer spending, increases in jobs, and a rebound in business purchases of facilities or equipment, according to Finance Department documents. If these conditions are not met, another recession is not necessarily inevitable, but possibly an extended period of sub-par growth, as occurred in the early 1990s.

Stinson said he expects the slow economic pace to continue in 2004-05. The new forecast projects \$670 million less than November's estimate, bringing the total deficit in those years to \$3.2 billion.

The budget plan would reduce the deficit in the outlying years by nearly \$2 billion. Sviggum said he and other House Republicans believe inflation numbers will be much less than the forecasted projections. Before making more cuts in those years he said that he wants better facts and information from new forecasts, particularly in November.

House DFL members disagree, saying larger numbers in 2004-05 need to be accounted for this session.

Legislators overrode Gov. Jesse Ventura's veto on a budget plan to deal with the state's deficit, but the new law does not account for the latest forecast's \$330 million additional deficit. There is still time left in this session for the Legislature to account for the additional revenue loss, as the state constitution requires them to do.

Wheelock said the state might release another budget forecast in August depending on the state of the economy and the level of reserves. The new law will drain nearly all the state's reserves, which leaves little flexibility to deal with another economic downturn.

"We are much more vulnerable to economic shocks ... if we don't have a billion-plus in reserves," Wheelock said.

So far legislators do not have a plan to



PHOTO BY TOM OLMSCHIED

State Economist Tom Stinson, left, uses a graph to point out the 1 percent wage drop in the fourth quarter of 2001 and projection for the first quarter of 2002 during the Feb. 25 release of the state's revenue forecast. Finance Commission Pam Wheelock, right, listens to Stinson's explanation for the revenue downturn.

Continued on page 27

Planning for the worst

Proposal clarifies and expands the governor's authority in the event of a bioterrorism incident

By SARAH MCKENZIE

A bioterrorism attack would trigger the governor's emergency powers, including the authority to quarantine people to prevent the spread of deadly biological agents, under a measure moving through House committees.

The governor's emergency powers would also include the authority to direct how dead bodies should be properly disposed of to prevent further spread of communicable diseases. Identities of victims and the cause of deaths would be forwarded to the commissioner of health.

The House Health and Human Services Policy Committee held an informational meeting on HF3031, sponsored by Rep. Richard Mulder (R-Ivanhoe), but took no action Feb. 26.

The House Civil Law Committee moved it to the House Governmental Operations and Veterans Affairs Policy Committee without recommendation Feb. 27.

Mulder and Rep. Thomas Huntley (DFL-Duluth), a bill co-sponsor, said that Minnesota has significant work to do to improve bioterrorism responsiveness.

Huntley said the state's hospitals lack adequate surge capacity, meaning there are few extra beds to accommodate a large influx of patients.

Mulder, a physician in southwestern Minnesota, pointed to the need for health care providers to come up with individual readiness plans.

He said the healthcare provider he works for would be hard pressed to respond to an anthrax attack.

"We just don't have a plan for that," Mulder said.

Testifying in support of the bill, Health Commissioner Jan Malcolm said the bill would clarify the governor's authority in responding to bioterrorism.

"We have become convinced that our current legal framework is inadequate to the task,"

Malcolm said. "Clarity will be our best friend in an emergency."

The Senate companion to the bill (SF2669), sponsored by Sen. John Hottinger (DFL-Mankato), more broadly defines the triggering event for the governor's emergency powers as a public health emergency, rather than an act of terrorism, as proposed in the House plan.

Rep. Betty Folliard (DFL-Hopkins) asked Malcolm about policies in other states. "We've got huge concerns, but we don't want to overreact," Folliard said.

"We have become convinced that our current legal framework is inadequate to the task. Clarity will be our best friend in an emergency."

— Minnesota Health Commissioner Jan Malcolm

On the national level, Malcolm said 29 state legislatures are considering implementing similar versions of the emergency powers bill.

Legislative action comes in the wake of deadly anthrax cases last fall on the East Coast.

According to the National Conference of State Legislatures, 27 states are expected to expand their public health statutes to include quarantine and isolation provisions. And 24 states are considering passing laws that would direct officials to gather and disseminate public health information.

Speaking in opposition to the bill, Twila Brase, president of the Citizens Council on Health Care, said she was concerned that the Legislature would neglect civil liberties in its response to bioterrorism.

Brase cautioned that the bill would give the state the "right to ration healthcare."

However, Huntley pointed to existing state law that already grants the governor significant discretion during emergencies.

One provision, Huntley noted, allows the governor to require anyone to "perform services for emergency management purposes."

HF3031, however, contains some restrictions on the governor's emergency powers.

The emergency declaration would expire after 30 days unless renewed by the governor. The Legislature, by a majority vote in each body, would also have the authority to terminate an emergency declaration 60 days after it was issued.

In the event of a bioterrorist attack, the governor would be required to consult with the commissioner of health and other public health experts before declaring an emergency.

Under the quarantine section of the bill, the governor or delegated authority would be required to use the "least restrictive means necessary" to separate individuals infected with communicable diseases from the public.

Those quarantined would also have the right to "adequate food, clothing, shelter, and means of communication."

If enacted, the law would expire July 1, 2005.

Under HF3031, the commissioner of health would also be required to study and make further recommendations to the Legislature on additional policies to bolster the state's bioterrorism responsiveness.

The report, due Jan. 15, 2003, would be required to contain recommendations on the following:

- Ways to make health care providers and other first responders immune from deadly biological agents;
- Measures to control medical supplies, facilities, and limit public gatherings;
- Procedures on detecting and preventing the spread of diseases;
- Safeguards to ensure individuals quarantined or isolated would be afforded due process; and
- Methods of enforcement to ensure compliance with the emergency declaration.

Malcolm said she supported the inclusion of the study in the bill.

"This is the first of many steps," she said.



Monday, February 25

HF3607—Holsten (R) Environment & Natural Resources Policy

Timber permit and lease provisions modified, prairie chicken hunting license established, turtle taking and firearms safety certificate provisions modified, enforcement authority, provided, and criminal penalties imposed.

HF3608—Holsten (R) Environment & Natural Resources Finance

Stillwater flood hazard mitigation grant provided, bonds issued, and money appropriated.

HF3609—Abeler (R) K-12 Education Finance

School districts authorized to pursue additional revenue through advertising and sponsorship.

HF3610—Dibble (DFL) Civil Law

Junior creditor redemption rights eliminated under certain circumstances.

HF3611—Haas (R) Commerce, Jobs & Economic Development Policy

Public insurance adjusters regulated.

HF3612—Schumacher (DFL) Transportation Finance

St. Cloud Regional Airport land acquisition funding provided, bonds issued, and money appropriated.

HF3613—Tuma (R) Crime Prevention

Sex offenders; 10-year conditional release period imposed, 10-year felony offense provided for certain crimes, aggravated harassing conduct definition clarified, and penalties prescribed.

HF3614—Mullery (DFL) Commerce, Jobs & Economic Development Policy

Residential tenant reports provided, and civil fine increased for violation of applicant screening fee provisions.

HF3615—Peterson (DFL) Agriculture & Rural Development Finance

University of Minnesota at Morris swine farrowing demonstration facility funding provided, bonds issued, and money appropriated.

HF3616—Knoblach (R) Environment & Natural Resources Policy

State-owned land inventory required, net increase of acreage prohibited, and fee disposition from sale of tax-forfeited lands modified.

HF3617—Penas (R) Higher Education Finance

Roseau municipal building renovation grant provided, bonds issued, and money appropriated.

HF3618—Knoblach (R) Capital Investment

Regional park organizations in Greater Minnesota provided grants, bonds issued, and money appropriated.

HF3619—Blaine (R) Environment & Natural Resources Finance

Little Falls; Pine Grove Park Zoo improvements funding provided, bonds issued, and money appropriated.

HF3620—Dawkins (DFL) Taxes

Sales and use tax extended to include pesticides.

HF3621—Sviggum (R) Ways & Means

Tobacco use prevention and local public health endowment fund eliminated.

HF3622—Lieder (DFL) Agriculture & Rural Development Finance

Farm wrap network and rural help network grants provided, and money appropriated.

HF3623—Goodno (R) Health & Human Services Policy

Health record access provisions modified.

HF3624—Kielkucki (R) Education Policy

Profile of Learning repealed, local academic achievement testing established, local testing revenue provided, and money appropriated.

HF3625—Pawlenty (R) Civil Law

Electronic mail solicitation regulated, Internet consumer privacy protected, and penalties provided.

HF3626—Tuma (R) Crime Prevention

Controlled substance crimes modified to include six degrees.

HF3627—Sviggum (R) Taxes

Medford sales and use tax authorized and fund use specified.

HF3628—Abrams (R) Taxes

Electric generation facility personal property tax exemption provided, and hydroelectric generating facilities construction materials sales tax exemption provided.

HF3629—Marquart (DFL) Taxes

Property tax payment required prior to title transfer of manufactured homes, and notification provided.

HF3630—Koskinen (DFL) Civil Law

Supreme Court requested to study and make recommendations regarding tracking of civil actions involving sexual abuse.

HF3631—Gunther (R) Taxes

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

HF3632—Greiling (DFL) K-12 Education Finance

School district voter-approved referendum amounts restored.

HF3633—Holberg (R) Civil Law

Uniform conflict of laws-limitations act established regulating limitation periods of certain actions.

Tuesday, February 26

HF3634—Stanek (R) Transportation Finance

Local metropolitan public safety radio communications capital improvement grants provided, bonds issued, and money appropriated.

HF3635—Stanek (R) Crime Prevention

Child advocacy center grants provided, and money appropriated.

HF3636—Sertich (DFL) Local Government & Metropolitan Affairs

Municipal repayment period extended for certain public safety, ambulance, and road construction equipment.

HF3637—Sertich (DFL) Local Government & Metropolitan Affairs

Municipal repayment period extended for certain public safety, ambulance, and road construction equipment.

HF3638—Mares (R) Education Policy

Students' access to needed services improvements required relating to nursing and counseling.

HF3639—Goodno (R) Taxes

Moorhead tax levy authorized, and proceeds dedicated.

HF3640—Opatz (DFL) Environment & Natural Resources Finance

St. Cloud area regional parks and trails coordinating board grant provided, bonds issued, and money appropriated.

HF3641—Huntley (DFL) Jobs & Economic Development Finance

Duluth visitor's center grant provided, bonds issued, and money appropriated.

Wednesday, February 27

HF3642—Erhardt (R) Taxes

Sales tax refund of tax related to bad debt losses of lender authorized, and filing dates modified for filing a claim on bad debt loss.

HF3643—Haas (R) Ways & Means

Claims against the state payment funding provided, and money appropriated.

HF3644—Vanderveer (R) Civil Law

Public employee data classification modified to exclude employees city and county of residence.

HF3645—Schumacher (DFL) Crime Prevention

Firearm possession prohibition federal conformity provided.

HF3646—Penas (R) Jobs & Economic Development Finance

Tourism promotion grant provided for the areas near the northern border of Minnesota, including the Northwest Angle.

HF3647—Kelliher (DFL)**Taxes**

Property tax valuation exclusion time limit extended for improvements to certain older homesteads.

HF3648—McElroy (R)**Commerce, Jobs &****Economic Development Policy**

Federal unemployment trust fund loan interest payment special assessment provided.

HF3649—Mariani (DFL)**Agriculture Policy**

Ethanol plant payments prohibited to plants in violation of certain ordinances.

HF3650—Goodno (R)**Health & Human Services Finance**

Veterans nursing homes board funding provided, and money appropriated.

HF3651—Stanek (R)**Education Policy**

School-year length requirement decreased by three days.

Thursday, February 28

HF3652—Buesgens (R)**Taxes**

Biomass electrical generating facility under a certain size exempted from property taxes.

HF3653—Westerberg (R)**Transportation Policy**

Driver's licenses authorized to include nicknames.

HF3654—Anderson, B. (R)**Education Policy**

School districts not required to comply with state mandates unless revenue to comply is identified.

HF3655—Dempsey (R)**Governmental Operations &****Veterans Affairs Policy**

Prairie Island Indian trust land replacement by Congress urged by resolution in the event of a nuclear incident.

HF3656—Sertich (DFL)**Education Policy**

Independent School District No. 696, Ely, authorized to waive the open enrollment deadline date.

HF3657—Mulder (R)**Jobs & Economic****Development Finance**

Lake Benton visitor center and railroad depot planning grant provided, and money appropriated.

HF3658—Goodno (R)**Taxes**

Stadium; football stadium and parking ramp financing provided, Metropolitan Sports Facilities Commission membership modified and requirements imposed, taxes and fees imposed, and money appropriated.

HF3659—Gray (DFL)**Taxes**

Stadium; Hennepin County authorized to finance open air roof-ready baseball park, levy taxes, and issue bonds; and transfer of related funds authorized.

HF3660—Larson (DFL)**Health & Human Services Policy**

Cancer patient health coverage required to include limited coverage for scalp hair prostheses.



Shortages nationwide

Nearly all states dealing with budget deficits

Minnesota is not alone in its quest to tackle a staggering budget deficit.

The National Conference of State Legislatures (NCSL) reports that all but five of the 50 states have projected revenue shortfalls.

In Minnesota, a November economic forecast revealed a drop in revenues from state sales and income taxes. The February forecast revealed a dimmer picture. The state's deficit is predicted to grow from \$1.95 billion to \$2.3 billion.

"The magnitude of the budget gaps has been significant enough that even programs that often are spared from cuts, such as K-12 education, have been reduced in some states," the report reads.

Further, 23 states have reported that Medicaid expenditures are over budget. Several other social services, including programs for the mentally ill, senior citizens, and lower income residents, face cost overruns.

"The combination of weakening revenues and higher Medicaid costs is forcing many states to make painful budget decisions," Stephen Saland, NCSL president and New York state senator, said in a statement. "Fortunately, most states have been preparing for this rainy day and are appropriately using their budget reserves."

The report, released this month, indicates that 15 states have opted to use the reserve funds. Meanwhile, another 10 states are considering it.

Although many state legislatures are considering spending down reserves and cutting social services, few have proposed tax increases to balance state ledgers.

The NCSL also found that eight states have decided or planned to use endowments established by tobacco lawsuit settlements to balance budgets.

In Minnesota, some members have proposed tapping tobacco endowment funds as a possible budget-balancing option.

Other highlights of the NCSL report include:

- Twenty-eight states and the District of Columbia have indicated government spending has topped budgeted levels;
- Louisiana, North Dakota, Texas, West Virginia, and Wyoming report that revenues have met or slightly exceeded state targets;
- Thirty states have executed cost-savings plans by delaying construction projects, implementing hiring freezes, or boosting revenue from gaming; and
- Nineteen states are considering tax proposals to balance 2003 budgets.

The NCSL collected the information from the state legislatures in late January. The data includes information gathered through December with some states including January updates.

(S. McKENZIE)

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House committee schedules are also available on the Web site at <http://www.house.mn/hinfo/schedule/index.htm>.

The House will not hold committee hearings Monday, March 4; Tuesday, March 5; or before noon on Wednesday, March 6 to accommodate precinct caucus attendance.

The House will not meet in session on Monday, March 4 or Tuesday, March 5.

WEDNESDAY, March 6

12 noon

TRANSPORTATION FINANCE

10 State Office Building
Chr. Rep. Carol Molnau

Agenda: To be announced.

12:15 p.m.

TAXES

200 State Office Building
Chr. Rep. Ron Abrams

Agenda: Presentation: Tri-partisan Stadium Task Force, Rep. Kevin Goodno.
Various sports stadium bills, to be announced.

3 p.m.

THE HOUSE MEETS IN SESSION.

After session

JUDICIARY FINANCE

500S State Office Building
Chr. Rep. Rich Stanek

Agenda: To be announced.

4 p.m. or 30 minutes after session

ENVIRONMENT & NATURAL RESOURCES FINANCE

10 State Office Building
Chr. Rep. Mark Holsten

Agenda: To be announced.

4:30 p.m. or 30 minutes after session

JOBS & ECONOMIC DEVELOPMENT FINANCE

400N State Office Building
Chr. Rep. Dan McElroy

Agenda: HF2574 (McElroy) Biodiesel fuel use incentives provided, and ethanol plant cogeneration facility closed-loop biomass deadline for producer payments extended.

HF2561 (Kahn) Minneapolis Park and Recreation Board authorized to lease land adjacent to the Mississippi River for purposes of operating a commercial food or entertainment facility.

HF3158 (Gunther) Greater Minnesota redevelopment program established.

Other bills may be added.

THURSDAY, March 7

8:15 a.m.

JUDICIARY FINANCE

Basement Hearing Room
State Office Building

Chr. Rep. Rich Stanek
Agenda: To be announced.

TRANSPORTATION FINANCE

5 State Office Building
Chr. Rep. Carol Molnau

Agenda: To be announced.

10:15 a.m.

TAXES

200 State Office Building
Chr. Rep. Ron Abrams

Agenda: Continuation of hearings on sports stadium bills.

12 noon

ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room
State Office Building

Chr. Rep. Mark Holsten
Agenda: To be announced.

Note: The committee will meet from 12 noon to 2:30 p.m. in the Basement Hearing Room and, if necessary, continue the meeting at 4 p.m. or 30 minutes after session in 5 State Office Building.

12:30 p.m.

AGRICULTURE & RURAL DEVELOPMENT FINANCE

10 State Office Building
Chr. Rep. Bob Ness

Agenda: To be announced.

4:30 p.m. or 30 minutes after session

JOBS & ECONOMIC DEVELOPMENT FINANCE

400S State Office Building
Chr. Rep. Dan McElroy

Agenda: To be announced.

FRIDAY, March 8

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

Basement Hearing Room
State Office Building

Chr. Rep. Jim Rhodes
Agenda: To be announced.

JOBS & ECONOMIC DEVELOPMENT FINANCE

5 State Office Building
Chr. Rep. Dan McElroy

Agenda: To be announced.

JUDICIARY FINANCE

500S State Office Building
Chr. Rep. Rich Stanek

Agenda: To be announced.

TRANSPORTATION FINANCE

400N State Office Building
Chr. Rep. Carol Molnau

Agenda: To be announced.

8:30 a.m.

TAXES

200 State Office Building
Chr. Rep. Ron Abrams

Agenda: Continuation of hearings on sports stadium bills.

10 a.m.

ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room
State Office Building

Chr. Rep. Mark Holsten
Agenda: To be announced.

10:15 a.m.

K-12 EDUCATION FINANCE

5 State Office Building
Chr. Rep. Alice Seagren

Agenda: To be announced.

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Continued from page 4

voicemail. Roving wiretaps allow police to tap multiple forms of communication.

It also allows Internet service providers the authority to turn information over to the police if the provider reasonably believes it is necessary to prevent an emergency involving serious injury or death. The bill would shield the provider from lawsuits, unless there were fraud involved.

Trespass laws would also be tightened in the bill. A loophole in current law that allows people to legally be on the roof of a school is made a crime in the bill, as is trespass on public utilities property. Current law requires that a person be told to get off of the property before the trespass becomes a crime.

The crime would be a misdemeanor under the bill.

Aside from addressing those who commit acts of terrorism, the bill would also crack down on those who are indirectly involved or participate in terroristic threats or hoaxes.

Those who are found to hinder the apprehension of terrorists could face a 10-year sentence and up to a \$25,000 fine, under the bill. If the terrorist has killed someone, those helping the terrorist avoid apprehension could be charged with first-degree murder.

It also increases the penalty for those who falsely report crimes from a misdemeanor to a gross misdemeanor.

Continued from page 21

replenish the budget reserves. Sviggum said the Legislature will propose a "phase 2" bill that will have a method for contributing to the reserves.

During years of surplus, the Legislature has allocated from surplus funds to the state's reserves.

Minnesota could risk being downgraded from its AAA bond rating if the Legislature does not enact a method to fill the reserves, Wheelock said. Only eight other states qualify for the bond rating, which is the highest a state can receive.

The AA rating, one step lower, is not as secure, and interest would be about 0.1 percent higher. The lower rating would cost \$28 million in additional interest each year for the state's \$2.8 billion in bond debt. Regaining a AAA bond rating requires a state to demonstrate financial stability over a period of a few years. 🐼

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

Reflections

Certain areas of the House chamber serve as bases or foundations for conducting various activities in the largest room of the Capitol. There, 134 House members and other key staff gather to debate issues, make decisions, and vote on bills.

Prominent in the chamber is the front desk, which holds on its upper level the Speaker of the House's podium and the main desk used by Chief Clerk Ed Burdick and his staff on the lower. Behind the front desk, the members' retiring room is tucked behind the Chamber.

Not to be outdone are the visitor's alcove and a press corps alcove in the rear of the chamber, and a public gallery accessed from the third floor.

But a little recognized feature in the chamber is the main aisle, a subtle yet quite visible focal point in both the House and Senate chambers leading up to the front desk. A main aisle is present in most statehouses across the country — all duplicating in some fashion the floor plans of the legislative chambers in the nation's capitol. The aisle stretches down the middle of a large room from a rear entrance to a main area in front.

Main aisles have become essential spaces either out of tradition or architectural requisite. They have been included in building plans for hundreds of years, not only in rooms or structures where laws are created, but also in most settings for religious services.

Some examples are seen in many city council chambers across the state; at the Minneapolis/St. Paul Archdiocese in the St. Paul

Cathedral; the Mount Zion Temple on St. Paul's Summit Avenue; and St. Thomas Episcopal Church in south Minneapolis.

The concept for constructing a central area as an aisle to divide a room was first introduced to a legislative body in 1789 for the French General Assembly. The idea was later improved upon by the French and used by the U.S. Congress as that body outgrew its work area and new chambers were added in the mid-1800s.

One tradition started by an early Congress is a method of using the aisle as space to separate members of different parties, unless the caucus in the majority has more members than seats on their side of the aisle.

In the manner similar to the president addressing Congress, the main aisle in Minnesota's House normally gets used at the beginning of a biennial session as senators and members of the judicial and executive branches enter the chamber to hear an address from the governor.

The main aisle also gets used as a formal walkway for renown visiting dignitaries, such as the international spiritual leader Dalai Lama and President Vaclav Havel of the Czech Republic.

Whether by pomp or circumstance, the main aisle in a room continues to be a setting where honor, dignity, protocol, individual beliefs, and rights to unify or dissent prevail.

—LECLAIR GRIER LAMBERT



PHOTO BY ANDREW VON BANK

The center aisle of the House chamber.

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

MINNESOTA INDEX

Minnesota agriculture

Number of farms in Minnesota in 2000	79,000
In 1989	90,000
Average acreage of farm in 2000	362
In 1989	333
State ranking in oats, sugarbeets, and green peas for processing produced in 2000 ...	1
For spring wheat, canola, cultivated wild rice, and sweet corn for processing	2
For soybeans and flaxseed	3
Value of state farm exports for fiscal year 1999, in billions	\$2.18
National rank	7
Billions in 1998	\$2.36
Millions of dollars of 1999 exports that were feed grains and products	\$689.6
Soybeans and products, in millions	\$681.4
Cultivated wild rice production in 2000, in millions of processed pounds	5.5
Percent decrease from 1999	11
Combined value of all livestock and poultry on Minnesota farms at the end of 2000, in billions	\$2.5
Millions of pigs produced in Minnesota in 2000	9.27
Annual litter rate	8.95
Millions of turkeys raised in 2000	43.5
In billions of pounds	1.06
State rank for both	1
Total chicken inventory (excluding broilers) on Dec. 1, 2000, in millions	15.8
Percent decrease from 1999	5
State's egg production in 2000, in billions of eggs	3.27
Percent increase from 1999	4
State rank for year 2000 milk production	5
Billions of pounds produced	9.49
Average pounds of milk per cow (new record)	17,777
Minnesota dairy farms licensed to sell milk to plants in January 2001	7,676
In January 1999	8,860
State rank in 2000 total cheese manufactured	4
In butter	4
In ice cream	5
Total net farm income for Minnesota farmers in 1999, in billions	\$1.29
Billions in 1998	\$1.51
Average net income for a Minnesota farm in 1999	\$16,164
In 1998	\$18,814
In 1997	\$12,268

Source: 2001 Minnesota Agricultural Statistics, Minnesota Agricultural Statistics Service,
July 2001.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

MARCH 8, 2002
VOLUME 19, NUMBER 6

In this issue:

NEW REP. JOHN JORDAN

BIODIESEL MANDATE, ELECTION JUDGE PLAN, AND MORE

HF3661-HF3677

Session Weekly

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

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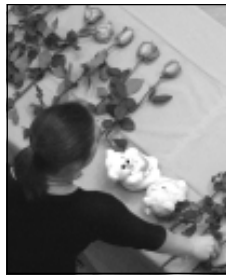
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On the cover: Nicole Tauer, an eighth grader at New Ulm Middle School, holds a chain of petitions from the second floor of the Capitol Rotunda, March 7, during a rally of about 200 students from around the state for continued funding of the Yellow Ribbon Suicide Prevention Program.

—Photo by Tom Olmscheid

Biodiesel mandate

Proponents say plan to require the additive by 2005 makes Minnesota an energy policy leader, others disagree

By SARAH MCKENZIE

A measure mandating that all diesel fuel sold in the state as of March 2005 contain at least 2 percent biodiesel gained momentum March 6, achieving approval from a House-Senate conference committee.

The committee included the mandate as part of the conference committee report to HF1547/SF1495*, a bill that stalled in conference committee during the 2001 session. The bill, sponsored by Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing), now returns to both the House and Senate for final approval.

Biodiesel is a fuel additive derived from animal fats or plant oil, typically soybeans.

Proponents of the measure, including the state's soybean growers, herald the mandate as a sound initiative to boost alternative fuel

committee moved quickly to approve the mandate, passing it in about 20 minutes. More than 100 people filled the Capitol hearing room and several others watched the meeting on a television in the hallway.

Members had previously heard testimony from supporters and opponents.

Murphy, the committee co-chair, predicted the mandate would turn the state into an exporter of energy instead of an importer.

"Minnesota has the opportunity to lead the nation in energy policy," he said.

Rep. Al Juhnke (DFL-Willmar) echoed Murphy.

He said agricultural leaders around the nation point to Minnesota as a model in ethanol production, and he predicted the same would hold true for biodiesel.

Minnesota has taken a number of steps to

"We should take the helm," Juhnke said. "This is timely for Minnesota."

Juhnke noted that Congress is also considering taking action to promote biodiesel.

Those opposed to a mandate in Minnesota have argued that the federal government would be in a better position to encourage use of the alternative fuel.

U.S. Sen. Mark Dayton (D-Minn.) secured \$20 million for biodiesel education programs in the farm bill that passed the U.S. Senate in February.

Federal lawmakers have also considered approving biodiesel tax credits as part of the energy bill.

The conference committee action comes after the House voted last May to defeat an earlier version of the mandate. At the close of the 2001 legislative session, members voted 76-55 to send the bill back to the conference committee.

The new version of the mandate pushes back the effective date, which Murphy said would allow the Legislature time to work on the proposal.

Under the new plan, all diesel sold in the state would have to contain the 2 percent biodiesel blend by March 1, 2005. The measure defeated last year would have required state vehicles to use biodiesel fuel by 2002 and all other vehicles by 2003.

The mandate would go into effect sooner under another trigger in the plan: if 18 months pass, subsequent to the state or federal government passing a 3 cent per gallon biodiesel tax credit.

An earlier version of the measure included a 2 cent per gallon tax credit.

"The intent is to make it more workable for everybody," Murphy said of the proposal.

Along with those conditions, the state's biodiesel production would have to exceed 8 million gallons before the mandate could go into effect. Specifically, the agreement would require that 30 days pass after the commissioner of agriculture publishes a notice in the State Register announcing that state biodiesel production had reached the requisite capacity.

The new proposal, however, would exclude motors used by nuclear power plants, trains, and taconite and copper mines.

The bill also includes a reimbursement clause, which was drafted to ease the concerns of producers. If the state repealed the



PHOTO BY ANDREW VON BANK

Rep. Tim Finseth, center, and Sen. Steve Murphy, right, co-chairs of a conference committee on HF1547/SF1495*, a bill requiring a biodiesel mandate, listen to questions on a proposed agreement March 6 during a meeting of the committee.

consumption and the lagging farming sector.

Meanwhile, opponents, led by the Minnesota Trucking Association, have argued the mandate would burden diesel users with higher costs at the fuel pump.

At the hearing, members of the conference

encourage the production of ethanol, which is typically derived from corn. The state has producer payment and tax credit programs for the additive. It also mandated the statewide use of oxygenated gasoline like ethanol or an equivalent in 1997.

mandate within two years of the effective date, distributors would be eligible to recoup 80 percent of their costs to adjust to the new biodiesel blends. Then the reimbursement rate would decline each year after the state imposes the mandate.

While the conference committee did not hear testimony at the March 6 meeting, representatives from both sides of the biodiesel debate attempted to sway legislators at a Feb. 27 hearing.

An opponent of the measure, John Hausladen, president of the Minnesota Trucking Association, said the state should leave it up to producers and consumers to decide whether they want to turn to biodiesel.

Hausladen said truckers aren't opposed to the use of biodiesel as an alternative fuel, but he argued a mandate would create costly burdens for diesel users. He also suggested truck stop operators would lose business.

He predicted the mandate would increase the cost of diesel fuel as much as 44 cents a gallon. Further, Hausladen argued that a small group of biodiesel processors would benefit — not the average Minnesota farmer.

The Minnesota Soybean Growers Association, a leading advocate of the mandate, countered opponents' points by arguing that costs to truckers have been exaggerated.

The group cites studies showing the cost of diesel fuel would increase by 2 to 3 cents a gallon.

Further, the association has pointed to the events of Sept. 11 as a factor in changing the debate over biodiesel.

In a policy statement, the association asserts the following: "Initially, biodiesel was seen only as an ag issue, which it never really was. But things have changed dramatically since the events of Sept. 11, making it very apparent that the major opportunity of biodiesel is energy security."

The statement continues: "As war looms in the Middle East — threatening our supply — those who are now opposing biodiesel, will be the first to clamor for help when prices skyrocket as they did last year."

The Minnesota Department of Agriculture concluded in a February 2001 study that soy diesel production would generate \$185 million to \$460 million in economic impact. The department also predicted between 983 and 2,439 jobs would be created. 🐼

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Road hazards

Report finds road damage outweighed safety benefit of studded tires in 1970s

Studded tires were legalized in Minnesota during the mid-1960s with the idea of providing better traction, improved driving stability, and reducing stopping distance for vehicles on icy roadways.

The tires were snow tires fitted with tungsten carbide studs that protruded from the surface of the tire tread. Under the law they could be used between Oct. 15 and April 15 beginning with the biennium following the 1965 Legislature, subject to renewal every two years.

About 40 percent of the state's vehicles had some of the tires underneath them in the winter of 1969-70 and about 37 percent one winter later. Of the latter, 99.9 percent had studs only on their back wheels.

But some residents and officials questioned whether the studded tires were safer than regular tires and whether they were hurting the state's roadways.

Four years after the tires were allowed, the Legislature directed the state's highway commissioner to conduct an in-depth study on the pavement-wear and safety effect of using such tires. The commissioner expressed concern over pavement damage in various parts of the state and recommended that further use of studded tires not be renewed.

A March 1971 report from the Department of Highways offered a conclusion that agreed with the commissioner.

"It seems reasonable to conclude, based on all findings as well as influences which cannot be quantified, that if studded tires were discontinued there would be little appreciable change in traffic safety in Minnesota," the report said.

Results regarding roadway damage came from controlled wear tests in a laboratory on a variety of concrete and bituminous surfaces and observed wear measurements in the field. The results showed that different types of pavement suffered significant wear, particularly softer road surfaces. Results also showed that studded tires produced at least 100 times more abrasion damage than that produced by sand and salt with unstudded tires.

"It is estimated that damage repair of pavements and bridge decks due to stud abrasion and the use of more wear-resistant pavements for new construction would amount to \$55 million on the trunk highway system by 1980," the report states. "The damage cost would increase significantly after 1980 when the wear depth on medium-volume roads would have reached the point of repair."

But what about a new type of road?

The study determined that it is possible to create more wear-resistant pavement conditions, but at an increased cost. "On the basis of laboratory tests the wear of the best concrete pavements could be reduced about 10 percent at a cost increase of 25 percent, and the wear of the high type bituminous pavements could be reduced about 50 percent at a

cost increase of 40 to 45 percent," the report states.

As for safety, the study found that vehicle performance is "significantly enhanced" when using studded tires on icy roads, but the performance is "far short" of any tire on bare pavement. It also said that straight-line travel on ice is enhanced with studded tires, but cornering and maneuverability is not improved unless all four tires are studded.

"Improvements in vehicle use performance through the use of studded tires on ice are much smaller than improvements obtained by sanding, deicing chemicals and chains," the report states. It also stated that "use of studded tires is generally detrimental to vehicle performance on bare pavement in terms of increased stopping distances."

But it emphasized that the benefit of studded tires "must be weighed in relation to the potential detrimental effects of studded tires on year-round highway safety." Among those listed were loss of pavement lane markings from studded tire abrasion, loss of pavement grooving for skid protection, and improper placement of vehicles in driving lanes to avoid worn wheel tracks.

Studded tire usage was repealed by the 1973 Legislature.

(M. Cook)



**A studded tire from
1971.**

★ CONSUMERS

Regulating e-messages

A bill that would protect Internet users' privacy and regulate unsolicited commercial e-mail messages received approval from the House Civil Law Committee Feb. 28.

House Majority Leader Tim Pawlenty (R-Eagan), sponsor of the bill (HF3625), said it would prohibit Internet service providers from disclosing information on customer accounts without their consent.

It would also require companies to place an identifying advertisement symbol before unsolicited e-mail messages, often called spam.

For example, it would require an "ADV" to precede commercial messages where the recipient did not request the information.

The advertisement designation would then allow people to buy software that would block the messages, Pawlenty said.

HF3625 would also require companies sending unsolicited e-mail messages to place a toll-free phone number on the bottom of the message so recipients could call to request that no more messages be sent.

Many other states have implemented similar laws, Pawlenty said.

Although most committee members saw a need for the bill, some questioned how it would work.

Rep. Eric Lipman (R-Lake Elmo) questioned whether Minnesota has the right to regulate Internet service providers in other states and e-mail messages sent from other states.

The U.S. Supreme Court has ruled that if an Internet service provider is located in one state but has modem banks in another, that is sufficient legal ground for regulation, Pawlenty said.

Emily Hackett, state director of an Internet trade association called Internet Alliance, sent a letter to the committee opposing the bill.

State laws attempting to regulate Internet privacy online would be difficult and expensive to enforce, she wrote. Web sites and Internet service providers often operate outside the jurisdiction of state and U.S. law, she added.

In addition, requiring labels on "spam" messages has done little to stop it in the three states that have tried it, and the laws are not enforced, Hackett wrote.

The bill now goes to the full House.

★ CRIME

Felons and firearms

Convicted violent felons would permanently lose their right to possess firearms, under a bill approved by a House committee Feb. 28.

The House Crime Prevention Committee approved HF2613, which would bar criminals convicted of a crime of violence from possessing a firearm.

Committee Chair Rep. John Tuma (R-Northfield) sponsored the bill.

Current law restores the right to possess firearms 10 years after a felon's sentence ends.

The measure would still allow felons the right to go before a court 10 years after their sentence ends and request a partial or total restoration of rights.

Rep. Barbara Goodwin (DFL-Columbia Heights) also spoke in support of the plan. Had the bill been in law earlier, an incident in her district might have been avoided, she said.

She told committee members about Michael McGee, a Columbia Heights police officer who was shot by a convicted felon while walking home from work. David Joseph Byrne, the man who shot McGee, had pleaded guilty to killing two people with a shotgun in 1966.

In 1994, two of the weapons used in the assault against McGee were found in Byrne's vehicle, but since it had been 10 years since Byrne's sentence ended, police had no reason to take them away.

Minnesota is one of only 13 states without either a lifetime ban or where a governor's pardon is required for a felon to possess firearms, Goodwin said.

Even states with laws that are more lenient regarding gun possession have stricter laws than Minnesota, she added.

Currently four states have a lifetime ban, 33 require a pardon from the governor or the courts, and 13 restore felons' rights after between five and 20 years.

Rep. Michael Paymar (DFL-St. Paul) said the bill is too broad since it penalizes those convicted of all crimes of violence. Under the bill, a crime of violence would include offenses such as murder, robbery, and kidnapping as well as assault, arson, and terroristic threats.

The bill now goes to the House Judiciary Finance Committee.

Harassment penalties

A bill designed to crack down on sex offenders and people who harass children cleared the House Crime Prevention Committee Feb. 28.

HF3613 would make it a felony to harass children under age 18 if the perpetrator is more than 36 months older than the child, and the harassment is done with sexual or aggressive intent. The crime would be punishable by up to 10 years in prison and a \$20,000 fine.

Sponsor Rep. John Tuma (R-Northfield) said the bill was brought about after a harassment case in Dakota County where a man was caught stalking and videotaping high school gymnasts in a sexual manner.

Since the measure was not law at the time, the man could only be sentenced to a year in prison and five years probation, the maximum penalty for felony-level stalking.

The proposal would also update Minnesota's 10-year conditional release period to include offenders whose previous conviction was from another state or was a federal offense.

Under the bill, the definition of a pattern of harassing conduct would be tightened to include two or more acts or attempted acts within five years.

In addition, it would add sexual conduct crimes to the list of crimes that can be used to determine a pattern of harassing behavior.

Tuma said the measure would likely cost the state and counties money since it would involve keeping offenders behind bars for longer amounts of time. Cost estimates have not been completed yet, he said, but the bill's next stop is the House Judiciary Finance Committee, where the cost will be discussed.

Offender registration

A bill requiring more repeat sex offenders to register with the state for the rest of their lives is now law.

Gov. Jesse Ventura signed the legislation Feb. 28, just in time to prevent the state from losing about \$850,000 in federal grant money.

Rep. John Tuma (R-Northfield), the House sponsor of the measure, said Feb. 27 on the House floor that the state could lose money from the Edward Byrne Memorial State and Local Law Enforcement Assistance program if the bill was not passed by March 1.

Signed
by
the
governor
★ ★ ★

That money goes to local law enforcement units for training and other purposes, he said.

State laws requiring certain criminals to register for 10 years went into effect in 1991, but lifetime registration was not added until 2000. At that time, 1991 was set as the cutoff for considering previous offenses.

Lifetime registration was previously only required if the offender's first offense was one that required registration at that time. The new law now requires criminals who were convicted of an offense before 1991 to register if they are convicted of a second offense.

It also applies to residents convicted of similar crimes at the federal level or in other states, as well as those who work in Minnesota but live in other states.

The bill, which was sponsored in the Senate by Sen. Jane Ranum (DFL-Mpls), passed the House 129-0 Feb. 27 and the Senate 60-0 on Feb. 26. It is effective March 1.

HF3049/SF3019*/CH222

Sharing data

The House Civil Law Committee approved a bill Feb. 28 that would include Minnesota in an interstate agreement to more easily share criminal history data for background checks.

HF1934, sponsored by Rep. Rich Stanek (R-Maple Grove), would make the state a member of the National Crime Prevention and Privacy Compact, which is an agreement between member states to electronically share fingerprint-based data. So far, 14 states have entered into the compact.

Karen McDonald, an administrator with the state Bureau of Criminal Apprehension, said states have been working on the agreement for about 10 years.

The agreement allows states in the compact, as well as the federal government, to get data directly from each other without having to go through the Federal Bureau of Investigation, she said. The compact does not include juvenile data, which is not currently sent to the FBI.

Data that is shared can only be used for background checks relating to licensing, employment and other noncriminal matters.

The bill would give the state better access to data, since states are currently under no obligation to share background data with other states, McDonald said.

The compact also sets up a council of representatives from member states that would adopt rules and set guidelines for the compact.

Under the bill, the state Commissioner of Public Safety would be responsible for administering the compact and would send a representative to act on behalf of Minnesota.

Although some committee members worried about giving authority to the council without having any legislative oversight, Stanek said the Legislature empowers the Bureau of Criminal Apprehension to do good for the state in other matters.

The bill next goes to the House floor. A companion bill (SF1030), sponsored by Sen. Charles Wiger (DFL-North St. Paul), awaits action on the Senate floor.

ENERGY



Prevailing wage may expand

A bill moving through the House would require that prevailing wages be paid to workers contracted for construction of energy generation plants.

Out-of-state contractors are winning bids in Minnesota because wages for the state's workers are higher, according to state unions.

"Minnesotans are being undercut," said Dick Anfang, president of the Minnesota Building and Construction Trades Council. He testified at the Feb. 28 hearing of the House Commerce, Jobs, and Economic Development Policy Committee.

The state's prevailing wage law requires that contractors pay wages comparable to wages being paid in a local area, as defined by the

state Department of Labor and Industry.

The prevailing wage bill is designed to protect local jobs, according to Rep. Mark Holsten (R-Stillwater), sponsor of HF3340. The intent is to pay workers of public projects comparable wages for similar work in the field, so as not to lose contracts to others that pay their workers less.

Prevailing wage law currently applies only to construction projects that receive state funds directly. Energy plants receive state assistance indirectly, generally in the form of property tax subsidies.

HF3340 would direct energy plants receiving "special tax treatment" to pay prevailing wages.

The bill was recommended to pass and was sent to the House Taxes Committee.

"We want a level playing field," said Gary Thaden, government affairs director for the Minnesota Mechanical Contractors Association. "We're losing to nonunion or out-of-state bidders ... this takes wages off the table."

Tom Hesse is director of labor management policy for the Minnesota Chamber of Commerce. He said it is a "good thing to compete on all levels," but his organization does not support a state mandate on wages.

"Indirect financing such as tax exemptions should not be triggering prevailing wage," Hesse said.

Jason Grev, government affairs director for the Associated Builders and Contractors, said

32 ROSES

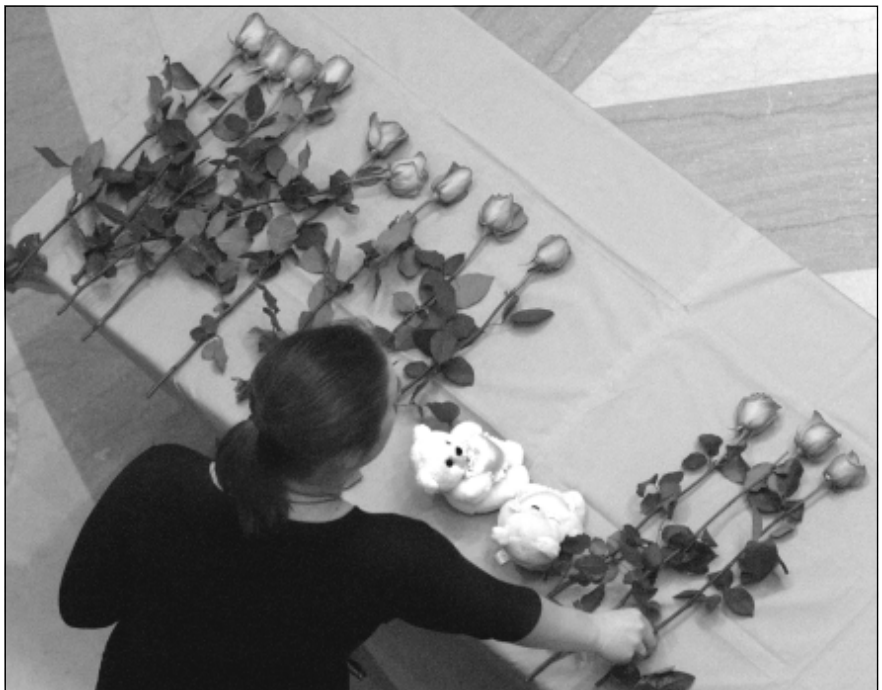


PHOTO BY ANDREW VON BANK

As part of Action Day to End Violence Against Women, 32 roses are placed in the Capitol Rotunda March 1 to represent women, children, and advocates killed in domestic violence incidents last year. The event was sponsored by the Minnesota Coalition for Battered Women.

he disagrees with how prevailing wage is calculated.

"If prevailing wage is set it doesn't guarantee Minnesota workers will get the jobs anyway."

★ GOVERNMENT

Voter's choice

Voters would not only be able to decide whether the state should go to a one-house legislature, but also whether they should have the ability to place issues on the ballot, under a bill approved by the House State Government Finance Committee Feb. 28.

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

Both the unicameral and initiative and referendum issues have been discussed for several sessions, but neither has ever been successful. Now HF2764, sponsored by Rep. Ron Abrams (R-Minnetonka), encompasses both ideas.

The bill would place a constitutional amendment on the November general election ballot asking voters whether the state should adopt a 134-member one-house legislature. If voters approved the proposed amendment, the unicameral legislature would be implemented in 2007.

The committee adopted an amendment offered by Rep. Tony Kielkucki (R-Lester Prairie) that would place a second constitutional amendment question before voters in November asking whether the state should adopt an initiative and referendum process.

If adopted, initiative and referendum would allow Minnesota voters the ability via petition to have questions of state policy placed on the general election ballot, without gaining the Legislature's approval first.

Kielkucki said that an important part of the Nebraska unicameral system is the ability of that state's voters to initiate and repeal laws.

The committee also adopted an amendment proposed by the chair, Rep. Philip Krinkie (R-Shoreview), that changed the terms of the members of the proposed unicameral system from four years to two.

Rep. Mark Thompson (DFL-New Hope) proposed an unsuccessful amendment to remove a provision requiring the secretary of state's office to provide a voter's guide on the issues involved with a unicameral legislature.

After voting for an amendment that placed the voter's guide provision in the bill during the Feb. 15 House Governmental Operations and Veterans Affairs Policy committee hearing, Thompson said he learned from other members that the cost of the guide would

likely decrease the chances of the bill passing.

"This bill does not advocate for a unicameral legislature. It advocates that the decision should be left up to the voters of the state," Thompson said.

Abrams also spoke against the voter's guide provision saying that such state paid guides were provided for none of the previous constitutional amendments. He said an amendment approved in 1984 that changed the appeals process in the state's judicial system was just as important as the proposed legislative structural change.

Filling a vacancy

That empty chair at the local town board meeting may not sit empty as long, under a measure passed by the House 123-4 Feb. 28.

HF2637, sponsored by Rep. Dennis Ozment (R-Rosemount), would authorize townships to appoint another person to serve in place of a board member who is unable or unwilling to serve after a 90-day period.

Ozment said the issue was brought to him by officials from the Minnesota Association of Townships.

Existing law specifies the circumstances that an elected position can be defined as vacant. Those include the death of the incumbent, the resignation of the incumbent, the incumbent moving out of state, the conviction of an "infamous" crime or violation of official oath, or the official's refusal to take the oath of office.

The bill would allow town boards to declare and fill vacancies when an officer is unable or unwilling to serve in the office or attend board meetings for a 90-day period because of illness or absence.

Under the measure, town boards, by resolution, would declare a vacancy exists and would make an appointment to fill the vacancy for the remainder of the unexpired term or until the absent member is able to resume duties, whichever is earlier. If the original member is again able to resume duties, the board would be required by resolution to remove the appointed officeholder and restore the original member to office.

The bill awaits action on the Senate floor.

Family protection

For the most part, public employees' personnel data is public information. Data such as the employee's name, salary, job title, education, and training background is all public.

Current law does classify some information as private, such as information relating to a person who is doing undercover law

enforcement work or employee assistance data where the employee seeks counseling in a diagnostic or referral services program.

By a 129-0 vote, the House passed a bill (HF3296) Feb. 28 that would specify that data pertaining to an employee's dependents is private data.

During a Feb. 19 House Governmental Operations and Veterans Affairs Policy Committee hearing, Rep. Mark Thompson (DFL-New Hope), the sponsor of the bill, said that for safety reasons certain law enforcement personnel data is considered private but state law does not provide the same protection to family members.

The bill would also transfer duties relating to the administration of the Social Security Program for public employees from the Department of Employee Relations to the Public Employees Retirement Association.

The measure awaits action in the Senate Rules and Administration Committee.

Saving ink

State law requires any licensed architect, engineer, land surveyor, landscape architect, geoscientist, or certified interior designer to physically sign each plan, specification, plat, report, and other official documents they prepare.

The House passed a measure Feb. 28 by a 129-0 vote that would reduce some of the signature requirements.

HF2612, sponsored by Rep. Jim Rhodes (R-St. Louis Park), would eliminate the signature requirement on documents prepared in those licensed professions that are drafts, or of a preliminary, schematic, or design development nature.

Rhodes said that a signature would still be required on the final version of the documents.

An official from the state Board of Architecture, Engineering, Land Surveying, Landscape Architects, Geoscience and Interior Design testified in a Feb. 7 House Governmental Operations and Veterans Affairs Policy Committee hearing that the bill would put into law what is already generally in practice.

The bill would also add drawings to the list of documents covered under state law, and specifies that a stamp, printed signature, or electronic signature has the same force and effect as a handwritten signature if it creates an accurate depiction of the original signature.

The measure awaits action on the Senate floor.

★ HEALTH

Nurses get a choice

A hospital supervisor would be barred from punishing a nurse who refuses to work overtime if he or she believes that overtime would jeopardize patient care, under a bill that cleared the House Health and Human Services Policy Committee Feb. 28.

A statewide nursing shortage has brought the overtime issue into sharper focus. Currently, the state has 3,500 unfilled nursing positions.

Speaking in support of the bill (HF2993), Sue Stout, representing the Minnesota Nurses Association, said that many nurses have raised concerns about working back-to-back, 12-hour shifts and the subsequent impact on the quality of patient care.

David Feinwachs, representing the Minnesota Hospital and Healthcare Partnership, also spoke in favor of the bill. "The safety of patients is the preeminent goal," he said.

HF2993, sponsored by Rep. Larry Howes (R-Walker), would not apply to nursing homes or long-term care providers since those facilities are already subject to state overtime regulations.

The bill would also establish a reciprocity program between bordering states. Under the agreement, licensed nurses in Wisconsin, North Dakota, South Dakota, and Iowa would be able to practice in Minnesota.

Rep. Richard Mulder (R-Ivanhoe) attempted to add an amendment to the bill that would have added Minnesota to a 16-state nurse-licensing compact. The amendment contained the same language as is in a Mulder-sponsored bill (HF2702) that the committee approved Feb. 13.

Mulder suggested that the compact would alleviate the state's nursing shortage. He also said in the event of an emergency, such as a bioterrorism attack, the compact would allow Minnesota to recruit nurses from participating states.

However, Stout objected to the amendment but said the nurses association would be willing to discuss the compact in the future. Mulder then withdrew his amendment.

The bill now goes to the House floor.

Dental assistance

Dentists would be able to voluntarily treat patients who can't otherwise afford dental care, under a plan that advanced in the House on Feb. 28.

The House Health and Human Services Policy Committee quickly approved HF3350,



Dominic Sposeto, representing the Minnesota Dental Association, testifies in front of the House Health and Human Services Finance Committee March 7 in support of a bill that would establish donated dental services.

sponsored by Rep. Jim Abeler (R-Anoka). The program would target lower-income and disabled Minnesotans.

Abeler said the program would cost the state about \$70,000 to pay for an outreach program.

"It's a good idea in a time of shrinking budgets," Abeler said.

Dominic Sposeto, representing the Minnesota Dental Association, said similar programs in other states have been successful. For states that have had volunteer dentists for at least five years, \$1 of state money has been matched by \$8 in pro bono dental care, he said.

"The cost is small, the payback is high, and the track record of this program throughout the country is well-established," wrote Richard Diercks, executive director of the dental association, in a letter to Rep. Fran Bradley (R-Rochester), the committee chair.

With Colorado leading the way, 32 states have established volunteer dentist programs with three other states working on establishing them.

Bradley said he has high aspirations for the program. In Rochester, he said about 40 dentists have agreed to volunteer for a program launched by the Salvation Army.

Nationwide, 10,000 volunteer dentists have treated patients with 2,000 laboratories also offering free services.

The dental care that patients receive costs an average of \$1,500. Some dentists have

provided more than \$20,000 in services to patients.

All told, the volunteer program serves 7,000 patients annually for an estimated \$9 million in pro bono care.

The committee referred the measure to the House Health and Human Services Finance Committee.

★ LAW

Family matters

The House passed a bill Feb. 28 that would allow all judicial matters affecting a particular family to be heard by the same judge.

Since most judicial districts in the state already have one judge assigned to family, probate, or juvenile affairs, the bill only addresses the second and fourth judicial districts, which include Ramsey and Hennepin counties, said Rep. Mary Jo McGuire (DFL-Falcon Heights), the bill sponsor.

The measure does not include juvenile delinquency proceedings.

HF3344 doesn't mandate anything, but would allow the practice if the districts want to use it, McGuire said.

At the Feb. 21 House Civil Law Committee meeting, Assistant Chief Judge Gregg Johnson of the second judicial district in Ramsey County spoke in favor of the bill.

He said the measure came from a pilot program, started in 1996, that placed all cases such as divorce, domestic abuse, or child protection with the same judge or referee.

That allows the family and the judge to become familiar with one another and helps the judge when making decisions about family matters, he said.

Johnson called the program a success and asked lawmakers to approve the bill.

Janet Marshall with the Minnesota Supreme Court Administrator's Office said any other county could already handle cases in such a way, and that only Ramsey and Hennepin counties are arranged differently.

In the Senate, the bill awaits a hearing in the Rules and Administration Committee.

★ LOCAL GOVERNMENT

Commission expansion

The second public utilities commission member expansion bill of the 2002 session passed the House 129-0 Feb. 27.

Rep. Steve Smith (R-Mound), the sponsor of HF3202, said the bill, which would increase the Delano Public Utilities Commission from three members to five, was similar to another

bill (HF2624) approved by the House Feb. 11. That bill expands the Shakopee Public Utilities Commission from three members to five.

The city of Grand Rapids received the same authority from the Legislature in 1999.

Public utility commissions are responsible for the management of publicly owned water and electric utilities. HF3202 would maintain staggered three-year terms for the Delano commission and would prohibit more than one city council member from serving on the commission at any time.

Smith said that since the commission was formed in 1936 the city's population has quadrupled and the commission's budget has increased 800 percent. The current budget is around \$2.8 million, which is 50 percent higher than the city's general fund.

The bill, which passed the Senate March 4, awaits the governor's signature.

Appointment plan rejected

Do the eyes of most voters gloss over the local soil and water conservation board candidates on the ballot at election time?

The House Environment and Natural Resources Policy Committee debated that question Feb. 28 before rejecting a Hennepin County proposal to change the elected positions on the board to appointments made by county commissioners.

A proponent of the defeated measure, Karen Johnson, chair of Hennepin County's Soil and Water Conservation Board, said an appointment process would attract more qualified candidates.

She said candidates for the five-member advisory board typically run unopposed and face difficulties campaigning at-large in a county with more than 500,000 voters.

HF2252, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), would only apply to the Hennepin County selection process, but members predicted it would be duplicated in other parts of the state.

Under the proposal, the county would be divided into five districts with the approval of the state Soil and Water Conservation Board. A supervisor would be appointed in each district for a four-year term.

To be qualified for the post, an individual would have to be an eligible voter in the district and be "knowledgeable of soil and water conservation issues."

Phil Eckhert, the county's director of environmental services, said an appointment process would allow the county board to better carry out its environmental stewardship responsibility.

Rep. Bill Haas (R-Champlin) pointed to the Hennepin County Library Board as an effective body made up of appointed members.

JUMPING FOR LIFE

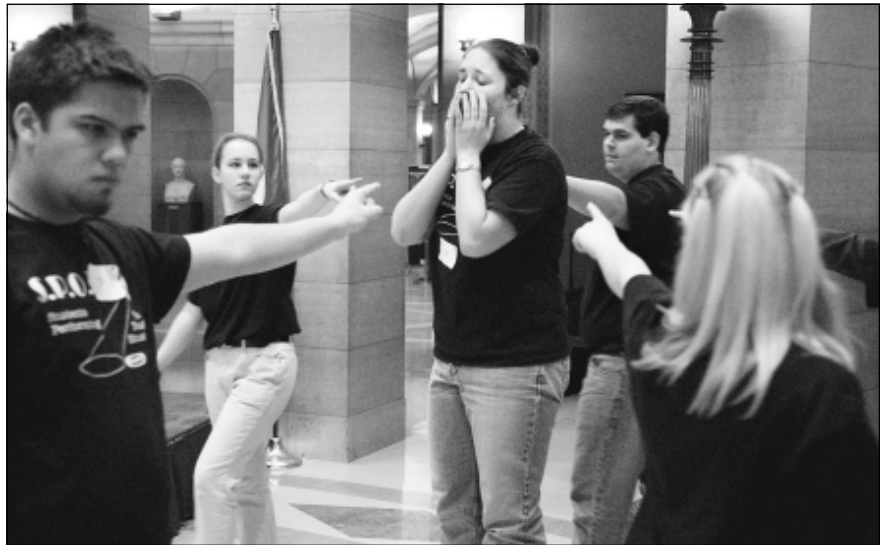


PHOTO BY TOM OLMSCHIED

Members of S.P.O.T.S. (Students Performing On Tough Situations) from New Ulm perform "Jump" as part of a March 7 rally in the Capitol Rotunda for the continued funding of the Yellow Ribbon Suicide Prevention Program. About 200 youth from around the state brought petitions and met with legislators during their day at the Capitol.

"It's valuable for the county to be able to tap expertise," Haas said, arguing that most people don't know their soil and water conservation board members.

Other members argued that the appointment process would dilute the board's authority and make it more beholden to the interests of county commissioners.

Rep. Mark Holsten (R-Stillwater) said the measure would remove a "firewall" between the county and the soil and water conservation board, effectively eliminating the board's purpose.

Rep. Tim Finseth (R-Angus) said county commissioners might be inclined to appoint candidates opposed to environmental regulations in order to facilitate economic development.

In response, Eckhert said that members of the soil and water conservation board already operate without the authority to regulate or levy taxes. The board's role as an independent advisory board would not be compromised, he said.

required each year to choose to be a part of the program. The bill would reverse that process by allowing cities, once they have enrolled, to remain in the program until they vote to opt out, rather than having to opt in.

"This will take a step out of the process," Holberg said.

The program awards grants to cities to clean up polluted land, creates affordable housing opportunities, and creates development that incorporates efficient use of land, a range of housing types and costs, and access to transit and open space.

The bill also would allow the grants to go to development authorities. Under current law the grants must go directly to a municipality.

Development authorities include redevelopment authorities, economic development authorities, and port authorities. The bill requires that a grant to a development authority must be used for a project in the participating municipality.

The bill awaits action on the Senate floor.

METRO AFFAIRS



Livable communities clause

A tradition for many cities in the Twin Cities metropolitan area may be coming to an end under a bill passed 126-1 by the House Feb. 27.

HF2899, sponsored by Rep. Mary Liz Holberg (R-Lakeville), would allow cities to remain in the Metropolitan Council's Livable Communities Program until they opt out.

Holberg said that city councils are currently



MILITARY

Better benefits

Minnesota's two Congressional Medal of Honor recipients would be eligible for state paid health insurance benefits, under a measure approved March 1 by the House Governmental Operations and Veterans Affairs Policy Committee.

Rep. Bruce Anderson (R-Buffalo Township), the sponsor of HF3558, said that the Medal

of Honor is the highest award for bravery and valor awarded to members of the military. Created for the Civil War, Congress made the medal a permanent decoration in 1863.

Minnesotans Donald Rudolph and Mike Colalillo were both honored for their service during World War II.

Rudolph, who was born in South Haven in Wright County, was honored for his actions as a platoon leader in the Philippines. Colalillo, a Hibbing native, was cited for his service in Untergriesheim, Germany.

Anderson said that 1,000 World War II veterans die every day and that only 149 Medal of Honor recipients are still alive.

Sen. Bob Lessard (Ind-Int'l Falls), the Senate sponsor of the measure, said that the word "hero" has been misused in today's society, being applied to athletes who he said were "stars" and not heroes.

"We've taken the word 'hero' to the extreme," Lessard said. "The ultimate hero is someone who did what these two people did."

Veterans' benefits are generally handled at the federal level but Mike Pugliese, a deputy commissioner with the Department of Veterans Affairs, said the bill would allow the two residents to receive health care closer to their homes.

Lessard said that the Department of Employee Relations spoke against the bill in a Senate hearing, expressing concern that it would set a precedent in state paid benefits.

Rep. Phyllis Kahn (DFL-Mpls) said the precedent established in the bill would be a positive one. She said the separate "medical system" set up for veterans is "doing them a great disservice" and that the state's health care system would provide for better care.

The bill now goes to the House State Government Finance Committee.

More benefits

The House passed a measure 129-0 Feb. 28 that would allow the state's military personnel to receive the benefits of a federal act while performing state active duty.

HF3274, sponsored by Rep. Greg Blaine (R-Little Falls), would align the state statute to conform to the federal Soldiers and Sailors Relief Act of 1940.

That act provides protections for military personnel including reduced interest rates on mortgage payments and credit card debt, protection from eviction, and temporary suspension of certain civil court proceedings such as bankruptcy, foreclosure, and divorce.

"This is an opportunity for all (House) members to show our support for all of our members of the state of Minnesota who serve in the National Guard," Blaine said.

Under current law, if the state's military members are called into action under Title 32 the benefits of the act do not apply. That is because that particular section designates the service as federally funded state active service.

If members are called to duty under Title 10, the federal active service provision, they do qualify for the benefits.

Military personnel that were called to beef up security at the airport following the events of Sept. 11 were called up under Title 32.

The bill awaits action on the Senate floor.

★ RETIREMENT

Reference change

Retired engineers would be allowed to refer to themselves as such, under a bill the House passed 129-0 Feb. 28.

Rep. Rich Stanek (R-Maple Grove), the sponsor of HF2629, said the issue was brought to him by a constituent but applies to people throughout the state.

To ensure public safety and to minimize confusion due in part to deceptive advertising, current licensing laws for people who practice architecture, landscape architecture, professional engineering, professional geoscience, land surveying, and interior design prohibit the use of the titles unless the person is properly licensed and certified.

Those professions are licensed by the state Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design. The 21-member board is appointed by the governor and consists of members of the various professions.

The bill specifies that restriction of the use of the titles does not include individuals who are retired from one of the professions.

Stanek said that his constituent, who was an engineer for more than 40 years, does a lot of volunteer work at schools and various other functions and would like to refer to himself as a retired engineer.

The bill awaits action on the Senate floor.

★ SAFETY

'United We Stand' plates

The House anti-terrorism proposal cleared another station in its trip through the body but not without a few changes and added features, including a specialty license plate.

The bill (HF2622), sponsored by Rep. Rich Stanek (R-Maple Grove), would appropriate about \$22 million in fiscal year 2003 for various public safety functions related to preven-



This prototype license plate was part of a presentation to the House Judiciary Finance Committee, advocating for a license plate to help fund anti-terrorism measures. The committee approved the plan.

tion of and response to potential terroristic threats to the state.

The House Judiciary Finance Committee approved the bill March 7. The bill, which also gives law enforcement increased access to information, particularly for the purpose of investigations and helps agencies monitor certain activities, now goes to the House Ways and Means Committee.

Funds would be distributed for preparedness and other training, grants for equipment purchases, communications upgrades, and other needs related to the plan.

Among changes to the bill, the state would increase its collection of DNA samples during fiscal year 2003 from 4,000 to 21,000, at an increased cost of \$150,000. The plan is only for one year but will be reviewed for future years.

In addition, the committee adopted an amendment that would allow residents to purchase "United We Stand" license plates, with revenue from the plates going directly to the fight against terrorism worldwide.

David Dix, representing the Rewards for Justice program, explained that the idea for the license plates has been adopted in 30 states, with the revenue going to anti-terrorism efforts.

The program is a registered federal non-profit organization, operated by State Department personnel who are also responsible for the safety of American embassies. Dix said no administrative costs at the federal level would be paid for by proceeds from plate sales.

The plates would cost an extra \$50, with the state taking \$25 per plate for administration, and forwarding \$25 to the Rewards for Justice program, which would then be disbursed to the Minnesota office for homeland security, as well as Rewards for Justice initiatives.

"This is the only opportunity, I believe, where you'll be able to give Minnesotans the direct opportunity to contribute to the fight against terrorism," Dix said.

He estimated that about 100,000 plates would be sold in the state.

Rep. Wes Skoglund (DFL-Mpls) questioned the use of the U.S. flag on the plates, saying it

was an inappropriate display of the symbol that would be dirty throughout the winter in Minnesota. The bill was amended to remove a requirement that the flag be used on the plates.

Other members were concerned that the state was sending money it would collect for license plates to the federal government. Rep. Debra Hilstrom (DFL-Brooklyn Center) wondered if there was any language the committee could add to alter the program if the state determines the money isn't going where it's supposed to.

"I guess I'm just not sold on what I'm hearing," said Rep. Steve Smith (R-Mound). "It strikes me as being a rather strange notion. I don't support it."

Airbag replacement

The House Crime Prevention Committee approved a bill Feb. 28 that would make it illegal to repair a car after an accident without replacing a deployed or damaged airbag.

Rep. Dan Larson (DFL-Bloomington), the sponsor of HF2904, said the measure would protect consumers buying used cars by ensuring the airbags are intact.

The bill would exempt cars more than seven years old.

If a person violates the repair requirement, he or she would be charged with a misdemeanor, under the bill.

Alyssa Schlander, representing the Minnesota Auto Dealers Association, testified in support of the bill.

Used car dealers are seeing more and more cases of people trying to sell cars that do not have airbags but are made to look as if they do, she said.

She explained that there are three ways to tell if a car has an airbag. There can be visual evidence, such as a taped steering wheel, or there can be a light in the dashboard. Inspectors can also test the car using sensors.

Unfortunately, none of these tests are fool-proof, she added.

Schlander said auto dealers are concerned about the airbags because they are afraid of being sued if they sell a car that appears to have an airbag but really doesn't.

Larson agreed, but said the real concern is for consumers. Most people don't think of asking about the condition of the airbag when buying a used car, he said.

"I wouldn't have thought to ask if the airbag is there," he said. "I would assume it's there."

But some members of the committee were concerned about making it mandatory to replace the airbag.

Rep. Doug Fuller (R-Bemidji), said that it isn't the government's role to decide what a person does with their car, especially since the bill would effect people who never intend to sell their car.

The bill is a bad idea because people who

wouldn't be able to afford to replace the airbag would be unable to do other repair work and would lose their car, said Rep. Dave Bishop (R-Rochester).

Rep. Barb Sykora (R-Excelsior) also noted that short people can be hurt by airbags and might prefer not to have them anyway.

The bill now goes to the full House.

TAXES



Stadium receipts

Professional football and baseball players paid between \$7.5 million and \$8.5 million in Minnesota income taxes in 2001, according to information provided to the House Taxes Committee March 6 by staff from the non-partisan House Fiscal Analysis Department.

The information was provided as background for the committee as it considers a number of sports stadium related proposals. The committee was scheduled to hold at least three hearings on stadium bills.

Players on the Minnesota Twins team paid between \$1.9 million and \$2.2 million while players from visiting teams paid between \$1.1 million and \$1.3 million last year. Members of the Minnesota Vikings paid \$4.2 million to \$4.6 million while opposing players paid between \$250,000 and \$350,000.

The information takes into account that most of the home team players are not Minnesota residents but pay a portion of their salary based on the number of "duty days" spent in the state. Since visiting football players spend fewer days in Minnesota, the amount of taxes due from those players is less than their counterparts in baseball.

Currently the state imposes a 10 percent ticket tax on Twins, Minnesota Gophers, and Vikings tickets. That money goes to the Metropolitan Sports Facilities Commission that operates the Metrodome. In 2001 the ticket tax generated around \$6.3 million.

Sales tax revenue on food, alcohol, and novelties (not including clothing) at the Metrodome was around \$1.4 million last year.

A proposed tax on Major League Baseball, National Football League, and college memorabilia in the state could generate around \$14.9 million, according to the fiscal staff.

Likewise a proposed additional tax on rental vehicles would generate around \$4 million if applied statewide at a 2 percent rate. If applied in only the Twin Cities metropolitan area, the same tax would generate around \$3.4 million.

A 1 percent on-sale liquor tax levied in St. Paul alone would generate around \$750,000, while the same tax levied only in Minneapolis would raise about \$1.6 million.

LONG-TERM CARE RALLY



PHOTO BY ANDREW VON BANK

Seniors and caregivers rally in the Capitol Rotunda March 6 for improvement of staffing and quality in long-term care services.

★ TRANSPORTATION

Bonding plan derailed

The House Transportation Finance Committee rejected its own capital bonding recommendations March 6 after an hour-long debate on whether to include \$60 million in funding for the Northstar Commuter Rail Project.

That project would connect Rice, which is about 15 miles north of St. Cloud, to downtown Minneapolis, with stops in St. Cloud, Clear Lake, Becker, Big Lake, Elk River, Ramsey, Anoka, Coon Rapids, and Fridley.

Using rail line already in place, 18 trains would shuttle commuters, visitors, and students between Minneapolis and Rice.

The project also includes an inter-modal connection in Minneapolis allowing passengers to transfer to buses or the Hiawatha Light-Rail Transit line, which is currently under construction.

Committee chair Rep. Carol Molnau (R-Cologne), who put the proposal together, voted against it after Rep. Andrew Westerberg's (R-Blaine) suggestion to add the funding for the project was approved.

The original recommendation included bonding requests of about \$123 million, including \$48 million for local bridge assistance, \$30 million for high-use local roads, and \$25 million for local highway improvements.

Committee members who opposed the Northstar project said the state doesn't know where the money for the project would come from, and shouldn't be borrowing money it can't afford to pay back.

Rep. Mary Liz Holberg (R-Lakeville) called spending \$60 million on the project a horrible idea, and tried to kill the idea by changing the money to funding for local roads. The committee voted down that suggestion.

If the committee is going to increase its budget recommendation by so much, the money should at least go to higher priority areas such as local roads, she said.

Supporters countered that the rail project would clear up traffic in the fastest growing transportation corridor in the state and would save commuters time and money.

Other members said the committee needs to have a more open discussion of the commuter rail project, which is scheduled to eventually expand to other areas of the Twin Cities metropolitan area.

But Molnau said the issue has received a fair debate, noting that the committee has had two hearings on the project.

The move means the committee does not currently have recommendations to forward to the House Capital Investment Committee,

PERSONAL TRANSPORTATION



PHOTO BY ANDREW VON BANK

Matthew Dailida, government affairs representative, demonstrates the Segway™ Human Transporter in front of the House Transportation Finance Committee March 7. A bill that considered regulation of the device's use was previously approved by the committee.

which will compile requests into a bonding bill. The capital investment committee may still include the project in its final bill.

Extinguishing debts

Car fires are costing communities money, and the House is considering a plan to do something about it.

The House Transportation Finance Committee approved a plan March 6 that would expand the authority of cities and counties to collect on expenses leftover after car fires.

Bill sponsor Rep. Dennis Ozment (R-Rosemount) said HF211 would give the state a way to collect money from drivers who refuse to pay the bill.

It would also allow the state to reimburse city or volunteer fire departments that put out car fires on state or interstate highways but never receive compensation from the car's owner. Up to \$300 could be collected by local governments.

The plan would set up a motor vehicle fire revolving account, where money that is eventually collected by the state could be placed.

Collecting on bills from car fires has been a nagging problem for volunteer fire departments, said John Dooley, chief council for the Minnesota Association of Townships. It is estimated that about 10 percent of bills from car fires are left unpaid.

If a car fire occurs in one county, but the driver lives in another, it is difficult to force drivers to pay, he said.

The bill would reduce that problem by allowing cities and counties to turn the amount due over to the county auditor of the driver's town of residence. The auditor can then go after the resident directly with a levy against any property owned by the recipient.

If the money still cannot be collected, the fire department could turn the bill over to the state for payment out of the revolving account. If the car owner pays up, the money would be deposited into the account.

Hopefully between 50 and 70 percent of unpaid fees will be collected through county auditors without having to use the account, Dooley said.

The bill will next be heard in the House Ways and Means Committee.

Where to find information

House Public Information Office

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

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

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

Budget cuts, part one

New law that will eliminate part of the projected state deficit affects all areas of Minnesota government

SESSION WEEKLY STAFF

Most of the provisions of the first piece of the Legislature's plan to address the state's projected deficit for the end of the 2002-03 biennium, became law March 1 without Gov. Jesse Ventura's approval.

The new law addresses the deficit identified by the Department of Finance's November 2001 forecast, which indicated a \$1.9 billion shortfall for the current biennium.

The most recent budget forecast released Feb. 25, shows an additional deficit for the state of around \$330 million, which is not addressed in this law, but legislators will discuss further remedies in the coming weeks.

However, the law also calls for base budgets in many departments to be reduced in 2004-2005.

Rep. Rich Stanek (R-Maple Grove) and Sen. Doug Johnson (DFL-Tower) sponsored the measure. Here are a few highlights.

(HF351*/SF264/CH220)

Cancellations and transfers

The new law uses around \$1.59 billion from various reserve accounts and one-time spending reductions.

The law shifts the balance of the \$653 million budget reserve account to the general fund. (Art. 13, Sec. 7)

The law also transfers a \$195 million balance in the state's cash flow account, used to meet deficiencies resulting from uneven distribution of revenue collections and required expenditures. (Art. 13, Sec. 7)

A transfer of \$120 million from the state's assigned risk plan to the general fund is provided in the law. The assigned risk plan provides workers' compensation coverage to employers rejected by a licensed insurance company. (Art. 13, Sec. 9)

A tax increment finance grant account was established in 2001 to lessen the impact of property tax class rate reductions on TIF districts in the state. The new law cancels the \$130 million total appropriation for 2002-03.

For future biennia, the law allows the commissioner of finance to transfer cash reserves

of the tobacco prevention and public health endowment to the general fund if a deficit is expected. The law requires that any such transfers be reimbursed as soon as sufficient cash balances are available in the general fund. (Art. 13, Sec. 6)

The law prohibits future budget forecasts from making an allowance for inflation in determining expenditure estimates. (Art. 13, Sec. 1)

Agriculture

Under the law, general fund appropriations for agriculture will be reduced by \$1.69 million for 2002-03.

Cuts include an \$800,000 reduction in spending for 2002-03 on the Agriculture Utilization Research Institute, a nonprofit corporation that promotes rural economic development projects. (Art. 9, Sec. 4)

Spending on agriculture protection services will be trimmed by \$250,000 in fiscal year 2003. Agriculture marketing and development programs will see nearly \$100,000 in cuts for the biennium. (Art. 9, Sec. 2)

The law will also cut \$175,000 in grants to agriculture information centers and an \$11,500 appropriation for the Seaway Port Authority of Duluth. (Art. 9, Sec. 2)

Ethanol producer payments will be reduced beginning in 2005, under the law, from 20 cents per gallon to 19 cents. (Art. 9, Sec. 6)

Criminal justice

Portions of the law affecting the state court system and the Corrections and Public Safety departments will be cut about \$26 million for the 2002-03 biennium.

The new law provides a \$16.6 million reduction to corrections for the biennium, including nearly \$7 million in cuts to adult institutions and \$7.9 million in cuts to the community services division of the Department of Corrections.

In 2003, those cuts include \$1.2 million from the extended juvenile jurisdiction reimbursements, \$800,000 for community corrections counties, and \$320,000 for probation and supervised release services provided to counties by the department. (Art. 6, Sec. 3)

The Department of Public Safety will receive total cuts of \$5.3 million for the biennium, including \$1.37 million to the Minnesota Center for Crime Victims Services, as well as the elimination of the crime victims ombudsman and transfer of the duties to the department. (Art. 7, Sec. 5)

In addition to providing grants to local communities, the crime victims center disburses per diem reimbursement to domestic violence shelters. The law eliminates \$600,000 for the reimbursements in 2003 and calls for base funding to be reduced by that amount in fiscal years 2004 and 2005.

Another \$2.3 million will be cut from the



Included in the \$16.6 million budget reduction for the Department of Corrections are nearly \$7 million in cuts to adult institutions, such as the Stillwater Prison.

law enforcement and community grants, including drug policy and violence prevention, a model policing program addressing mental illness calls, elimination of state funding for the Camp Ripley weekend camp in 2003, and staff reductions. However, the law calls for use of federal grants to sustain some of the programs. (Art. 7, Sec. 4)

The law requires the balance from the auto theft prevention fund, estimated at \$1.3 million each year, to be transferred to the general fund. (Art. 7, Sec. 9)

The new law also includes reductions of \$1.59 million to the court system for 2003, including the state Supreme Court, the Court of Appeals, and the state's district courts. (Art. 11, Sec. 2)

Economic development

Economic development funds will lose almost \$6 million over the next biennium due to budget cuts.

The Legislature deducted portions of previous allocations from programs in the departments of Trade and Economic Development, Economic Security, Commerce, and Labor and Industry. (Art. 12, Secs. 2, 4, 6, 7)

The deductions include amounts from overall administrative costs, the Minnesota Trade Office, Minnesota Technology, Inc., workforce services, and the Housing Finance Agency. (Art. 12, Secs. 2-4)

The Office of Tourism will lose \$340,000 during the biennium, with instructions that the deduction cannot include a decrease of the grant to the Mississippi River Parkway Commission. (Art. 12, Sec. 2)

The law says the Minnesota Historical Society's reduction of \$400,000 should be implemented with the "smallest possible reduction in services and without the closing of sites." (Art. 12, Sec. 9)

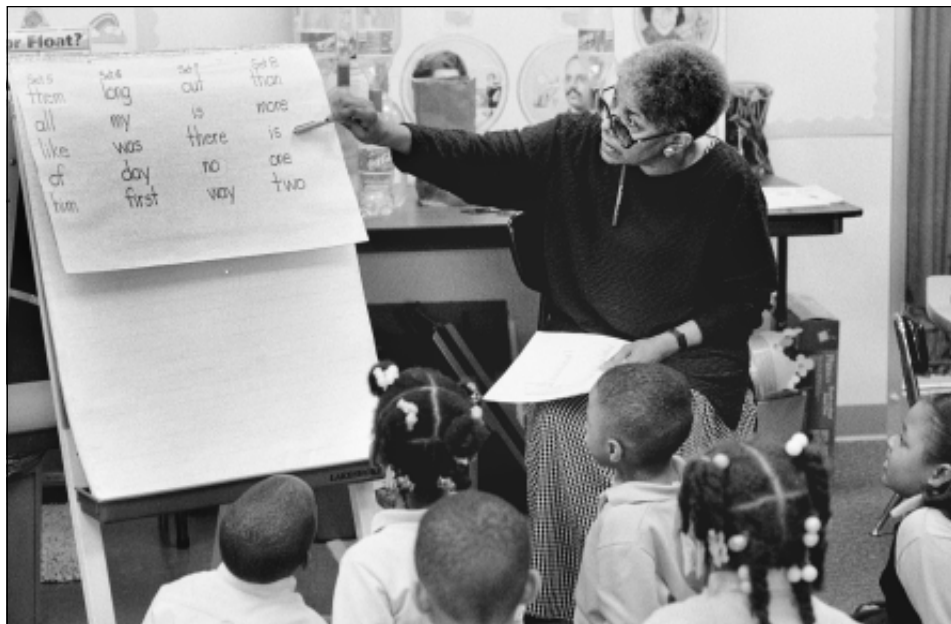
Transfers from several program funds to the general fund are also provided in the law, including \$426,000 from the Journey Travel Information System, \$1 million from the Rural Policy Development and \$3.2 million from the Real Estate Education, Research, and Recovery fund. (Art. 12, Sec. 10)

The new law will delay merging the departments of Economic Security and Trade and Economic Development until July 1, 2003. (Art. 12, Secs. 13-15)

Environment

General fund appropriations for environment and natural resources programs will be trimmed by \$12.9 million this biennium.

Legislators subtracted \$103,000 from the general fund in fiscal year 2002, leaving \$12.8 million in cuts for fiscal year 2003, which begins July 1, 2002.



A fund for alternative pay plans for teachers will be reduced by \$1 million for the biennium, under the new law.

The Minnesota Pollution Control Agency's (PCA) budget will increase by \$927,000 this year but will be reduced by \$1.4 million in 2003. (Art. 8, Sec. 2)

As for the Clean Water Partnership Program, the new law shifts \$1.3 million originally slated for 2003 for use this year. The program, which assists local governments in reducing pollution from runoff in agricultural and urban areas, will lose \$683,000 in 2003. Revenue from fee increases is expected to compensate for the cut. (Art. 8, Sec. 2)

The solid waste fund will provide money for land protection programs, under the new law. General fund appropriations will be reduced by \$1 million over the 2002-03 biennium. (Art. 8 Sec. 2)

The PCA's administration will also face a \$510,000 cut for the biennium. And the Office of Environmental Assistance appropriation will be trimmed by more than \$2 million in 2003. (Art. 8, Secs. 2, 3)

The state's zoological board, which oversees the Minnesota Zoo in Apple Valley, will see a \$383,000 reduction and the new Science Museum of Minnesota in St. Paul will lose out on \$65,000, both in 2003. (Art. 8, Secs. 4, 7)

Although the Department of Natural Resources' budget will see an \$800,000 bump in funding this year, it will have to absorb cuts of \$4.5 million in 2003. (Art. 8, Sec. 5)

State spending will also be reduced by \$2.9 million in the area of DNR operations support, including more than \$1 million set aside to help operate youth programs.

The law also directs the commissioner of finance to transfer \$1.3 million from the future resources fund to the general fund by June 30, 2002. (Art. 8, Sec. 9)

Family, childhood education

Under the law, the amount trimmed from family and early childhood education funding is a total of \$4 million for fiscal years 2002 and 2003, although \$3 million of that is made up for by the transfer of federal Temporary Assistance to Needy Families funds.

The law sets aside \$3 million of federal Temporary Assistance for Needy Families (TANF) block grant money for use by the Department of Children, Families and Learning until June 30, 2003. (Art. 2, Sec. 14)

The budget fix also eliminates \$100,000 in spending in 2002 by cutting the position of Adult Basic Education director, which was approved last year, but has not yet been filled. (Art. 2, Sec. 1)

Health and human services

Health and human services programs face the heaviest cut in the law — total budget cuts of \$95.9 million, \$55.4 million of which comes from the general fund.

In the area of continuing and long-term care, the law shifts health care costs to providers and counties. It also increases the amount the state raises in surcharges assessed on licensed nursing home beds.

And beginning Jan. 1, 2003, the law requires counties to pay 20 percent of the costs associated with caring for disabled people in nursing homes. It applies to patients younger than 65 who stay for more than 90 days. (Art. 14, Sec. 7)

The law also directs the University of Minnesota to transfer \$4.85 million each year of the biennium from the Academic Health Center account to the commissioner of health for medical education programs. The state is obligated to repay the university the amount

borrowed with interest. (Art. 15, Sec. 3)

Hospitals will face a 0.5 percent reduction in Medical Assistance and General Assistance Medical Care payments from the state beginning July 1, 2002.

Then starting on Jan. 1, 2003, the state will reduce both types of assistance payments to managed healthcare plans by 0.5 percent. The payment reduction would not affect nursing homes or demonstration projects for the disabled. (Art. 15, Sec. 19)

Combined, the two assistance programs cover health care costs for about 387,000 low-income Minnesotans.

The law also cuts grants for programs targeting chemical dependency, suicide, and health disparities in preventing cancer and AIDS. (Art. 17, Secs. 2, 3)

Higher education

The law cuts higher education funding by \$50 million, the second greatest total among all categories.

The University of Minnesota is getting the biggest cut at \$23.6 million, followed by the Minnesota State Colleges and Universities (MnSCU) system with \$22.7 million, and the Higher Education Services Office at nearly \$3.68 million. (Art. 5, Sec. 1)

Language in the law says that the university and MnSCU should decrease administrative expenditures and reserve balances, and restructure programs to minimize the student impact of reductions. (Art. 5, Secs. 3,4)

To further help students, the law calls for an additional \$4.45 million in state grants for the biennium, much of that from an increase in the maximum federal grant over \$3,750 remaining in the state grant program.

Various scholarship programs are cut, under the law, as are allocations of \$2.5 million for interstate tuition reciprocity and \$2 million from the Minnesota College Savings Plan. In both cases the amounts represent excess money in the accounts, and investments in the savings plan will not be lost.

The law also cuts about \$3 million from three systems that help increase student access to library resources across the state. (Art. 5, Sec. 2)

K-12 education

Nearly every state-controlled funding stream will experience losses from the 2001 legislative appropriations, under the new law's total cuts for K-12 education of \$14.9 million in the biennium. (Art. 3, Sec. 4)

Only one district request received a new appropriation: the Cambridge-Isanti School District was allocated \$400,000 to make a special education payment.

Funds for examination fees, teacher training, and support programs, originally \$2 million each year, are cut in half. Also, the department will continue to pay fees for low-income students taking advanced placement or international baccalaureate exams, but not all students as was previously provided. (Art. 3, Sec. 9)

A \$2.5 million appropriation for contracting with an independent school evaluation service to evaluate and report on school districts' academic and financial performance was cut by \$1 million. (Art. 3, Sec. 12)

The alternative teacher pay fund decreased from \$4 million to \$3 million in both fiscal years. The money was incentive for schools to create a plan for paying teachers using non-traditional methods. (Art. 3, Sec. 13)

State government

The constitutional officers, state agencies, boards, commissions, and Legislature will see a \$41.9 million cut under the new law.

The Department of Revenue takes the biggest hit, a reduction of \$14 million from its budget. In announcing his veto of the bill, Ventura said the cut would cause an estimated loss of \$11 million in revenue annually due to reducing the department's capacity to audit and collect taxes. (Art. 10, Sec. 13)

The governor's budget is reduced \$1.1 million this biennium while the Legislature's budget will see a \$2.2 million reduction. (Art. 10, Secs. 2,4)

State agencies and the Legislature are prohibited from hiring any permanent or temporary employees before July 1, 2003, estimated to save about \$40 million. The MnSCU system is exempt from the hiring freeze. (Art. 10, Sec. 38)

The law requires the governor to reduce expenditures for professional or technical service contracts in the executive branch by at least \$35 million in 2002-03. (Art. 10, Sec. 36)

With some exceptions, new consultant contracts and renewals of existing contracts are prohibited until July 1, 2003. Exceptions to the moratorium include federally funded contracts, and contracts relating to a public health threat, welfare or the safety of people. State agencies may apply for a waiver. (Art. 10, Sec. 37)

The law gives discretion to agencies in making the budget cuts, but does specify that funding cuts be distributed across the agency's accounts without a disproportionate reduction from a single program. The law further states that reductions should be geared toward cutting administration and overhead with as little impact as possible on programs and services. (Art. 10, Sec. 27)

Transportation

The law trims about \$3 million from state general fund transportation spending, including about \$2.7 million from the Metropolitan Council and its transit operations, primarily in 2003. (Art. 7, Sec. 3)

To make up the difference, the law calls for the council to increase revenue or reduce operating expenses by cutting less popular routes.

The budget modification also cuts \$600,000 from the council's administration costs and \$100,000 from the council's transportation services other than Metro Transit bus service.

The Department of Transportation will lose about \$500,000 from non-highway programs over the biennium. (Art. 7, Sec. 2)

The law also limits the Greater Minnesota Transit Fund administration costs for bus and transportation services to \$400,000. (Art. 7, Sec. 7)



The state's higher education institutions' budgets will be cut a total of \$50 million during 2002-23, under the new law.

Fairness at the polls

Officials debate effectiveness, as a recruiting and balancing tool, of proposal to remove partisan requirements for election judges

By DAVID MAEDA

The average St. Paul election judge is 67 years old. Fifty-five percent of the city's judges are at least 70, and 7 percent are older than 80.

Dorothy McClung, the director of Ramsey County's property records and revenue department, said that the county, which oversees the city's elections, is having a hard time recruiting enough new people to properly handle the polling place duties.

And officials are concerned that laws compelling party representation of election judges may be impeding recruiting efforts.

Current law requires that no more than half

as election judges.

Rep. Tim Mahoney (DFL-St. Paul), the sponsor of the bill, said it would allow election officials to address a growing problem of recruiting people to serve as judges.

McClung said that more and more people are identifying themselves as independents — with no party affiliation. Polls indicate that between 35 percent to 40 percent of voting age Minnesotans do not consider themselves members of a major political party.

She said that the bill would not remove requirements that certain duties — such as providing assistance to voters in reading or marking a ballot or witnessing public accuracy testing of

as election judges. Reichert said that at least 250 judges were needed for the city's 21 precincts.

Speaking in support of the bill, Reichert said most judges choose to work as a matter of "service to the community not as representatives of a party." She said the aging poll workers who work a 15-hour to 16-hour day would be able to work in shifts if more judges could be found.

But the state's chief election official said the bill takes the wrong approach.

Secretary of State Mary Kiffmeyer agrees that more judges are needed to do polling place work. She said election judges play a vital role in ensuring the public's confidence in the process, as well as the validity of election outcomes.

But she said that as her office has stepped up efforts to recruit more judges, including college students and local business people, she has often heard that people who are interested in working don't know how to go about getting involved in the process.

Kiffmeyer said that having representation from all political parties is important because some of the judge's most important responsibilities, such as ensuring that only those qualified to vote in a precinct are allowed to do so and the certification of results at the end of the day, need close scrutiny in order to satisfy the public's confidence in the system.

While the bill would address the shortage in the number of judges, she said it was an "admission of failure." She said a better approach would be to continue efforts to recruit more people by appealing to the sense of civic duty.


Rep. Eric Lipman (R-Lake Elmo) said eliminating the requirement of partisan election judges would allow highly partisan people to say they aren't affiliated with any party, which could lead to a situation where a precinct has an abundance of judges from one party.

Kiffmeyer echoed Lipman's concerns. "The nonpartisan label doesn't mean they don't have party affiliation. You just don't know what it is."

Rep. Len Biernat (DFL-Mpls) said nothing in the current system requires a person to disclose the party they belong to. The law requires party balance in each precinct, but doesn't specifically say that a person needs to declare a party affiliation in order to serve.

The law specifies that municipal election officials must first appoint judges from the lists provided by the parties, but if no lists have been provided, or if additional judges are needed, officials are permitted to appoint others to serve.

"I'm just trying to expand the list of people," Mahoney said.

The bill now goes to the House floor. 

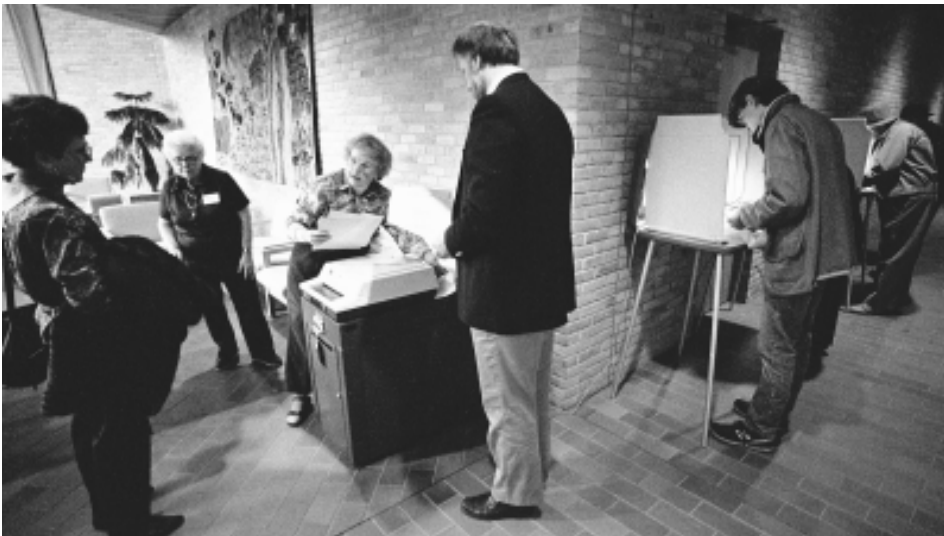


PHOTO BY TOM OLMSCHIED

A House proposal would allow nonpartisan election judges, in an effort to recruit new judges.

of the election judges in a precinct belong to the same political party unless there is an odd number of judges. In that case the number of judges of the same party may be one more than half the total number in the precinct.

As a practice, election judges declare what party they are affiliated with prior to appointment in a precinct so county officials can ensure they are following the law.

A bill (HF3283) approved by the House Governmental Operations and Veterans Affairs Policy Committee March 1 would allow individuals not affiliated with a party to serve

voting systems — require judges from opposite parties, as current law dictates.

But nonpartisan judges could handle other duties, such as registering voters and determining if a voter is in the correct polling place.

By law the state's major political parties are required by July 1 to provide a list of judges for each precinct to county auditors for elections involving partisan political office races.

Cindy Reichert, the St. Louis Park city clerk, said that for the 2000 elections the city was provided a list of nine names from the political parties. Seven of those people were willing to serve

Protecting local earnings

Minnesota's prevailing wage law aims to protect Minnesota jobs and provide a fair bidding process

BY THERESA STAHL

In the 1920s construction contractors were shipping nonunion minority laborers from Alabama to New York, paying them at rates lower than those that prevailed locally.

This concerned U.S. Rep. Robert L. Bacon, who, in 1927, introduced a bill requiring contractors on federal government projects to comply with state laws regulating wages of employees. That legislation failed, but four years and 14 bills later, the Davis-Bacon Act became law.

The intent of the 1931 Act, also sponsored by U.S. Sen. James J. Davis, was to protect local wage scales from the consequences of low-bid competition.

By 1973, 41 states, including Minnesota, had prevailing wage statutes. Since then, several states have repealed their laws, but Minnesota's remains substantially intact.

Each year, legislators propose additional jobs that should be subject to the prevailing wage, and many have been adopted. A 2002 proposal would apply prevailing wage law to construction of energy generation plants.

The 1990 Legislature commissioned a study of prevailing wage in the state. In it, the Department of Administration provided a history of the concept, analysis of its enforcement, opinions from the workforce, and recommendations for future action.

Minnesota's prevailing wage law is nearly 30 years old. Each year the Department of Labor and Industry's Labor Standards Division conducts a survey to determine a prevailing wage rate. The law requires that each wage determination be based on the actual wage rates paid to the largest number of workers within each labor classification reported in the survey typically county-by-county. This determination must be made before the state asks for bids.

Some legislators interviewed for the study about the prevailing wage law argued that the department's methodology is problematic, pointing to wide variations in wage rates between counties. Contractors also voiced their opinions, claiming the rate system "is not representative because not all eligible contractors receive wage surveys and because survey data



PHOTO ILLUSTRATION BY TOM OLMSCHEID

The state's prevailing wage law, which governs construction contracts, is nearly 30 years old and remains substantially unchanged since its enactment in 1973.

is rarely verified," according to the report.

Some legislators said a prevailing wage benefits the economy by protecting Minnesota jobs and workers and by providing a level playing field for the bidding process. Others argued the policy is inflationary and the costs associated with its benefits are unknown.

Labor organizations favor the prevailing wage. AFL-CIO (American Federation of Labor-Congress of Industrial Organizations) and Teamster representatives said the law strengthens economic stability in the construction industry and secures livable wages for workers, according to the study. They also said the policy limits the number of irresponsible contractors and ensures quality work by skilled employees.

Those organizations also addressed concerns with prevailing wage enforcement. (The Department of Labor is responsible for enforcing

prevailing wage rates on non-highway construction projects, and the Department of Transportation is responsible for enforcing prevailing wage for highway projects.)

They said the language was vague and occasionally contradictory, and violation investigations were seen as prolonged. They suggested quality enforcement required additional Department of Labor staff.

Labor organizations were not alone in their frustrations with the department. "All contractors and contractor groups cited poor communication as a cause of many problems and misunderstandings," the study says.

Nonunion contractors had concerns with the entire concept. "In general, nonunion contractors said that prevailing wage legislation is not necessary and is an inflationary tool of organized labor, one that increases construction costs without commensurate benefits," according to the report. "They said the law imposes union work rules on nonunion employers, restricts competition, and impedes the hiring of youth, minorities, and women."

Economic development groups claimed the application of the law to every project would negatively affect funding for low-income housing and lead to the suspension of programs.

Local government representatives said they were concerned with the application of the prevailing wage law to state-aid dollars, arguing that municipal construction costs would increase. They also added that information from the department was often confusing.

Interviews with state contracting agencies revealed that problems tended to be concentrated in rural Minnesota, where contractors and workers are less familiar with policy requirements.

The study made a large number of specific recommendations for improving the prevailing wage law, as the Legislature requested. Specifically, it called for the Legislature's intent for the law to be clarified and for improved procedures governing how the wage is calculated and how wage data is collected.

No specific legislative action addressing the recommendations has been taken since the study was completed, though department rules do govern some of those items.

The report concluded the prevailing wage law does accomplish the main objectives it set out to do: provide a fair wage to Minnesota workers; to ensure a "level playing field" in the bidding process; to protect local workers and contractors; and to create a positive economic factor. 🐾

At a crossroads

University of Minnesota Extension Service has proud past, but its future direction is debated

By SARAH MCKENZIE

Many rural legislators have argued that the extension service, the nearly 100-year-old outreach arm of the University of Minnesota, has strayed from its agricultural roots.

Today extension educators work in every Minnesota county, offering assistance on a range of topics, including economic development, environmental stewardship, precision farming, and youth development programs like 4-H.

University officials have said those core features of extension's mission won't change despite plans to trim its budget by \$4.5 million over the next two years. Under the new model, the university will look to raise \$2.5 million in revenues to compensate for a leaner budget.

Meanwhile, legislators have questioned how the university can provide the same services in the state's 87 counties with fewer resources.

The university announced in February that it would eliminate 43 of the extension's 275 positions because of financial constraints. The extension service received \$23.8 million from the state in 2001 along with \$10.7 million in federal dollars.

"Our goal is to retain extension staff in every county in the state, and this model meets that goal," extension dean Charles Casey said in a statement outlining the changes.

Extension's beginnings

The Legislature established the extension service in 1909. It was known as the Agriculture Extension Division.

James Gray, in his book chronicling the university's history from 1851 to 1951, wrote that enterprising agriculture professors paved the way for the outreach service.

One such professor, Willet Hays, worked to bring "the school to the students." He pushed to establish agriculture schools in rural Minnesota with strong ties to the university.

In its early days of the 20th century, the division focused on offering rural communities hands-on training in handling livestock and managing home economics.

The university used trains as portable

those who attempted to admit to the company of academic aristocrats any part-time, night-time beggars of scholarship."

To drum up support for extension and convince Minnesotans of the university's statewide value, Vincent launched "university weeks." Throughout Greater Minnesota, the university

offered mini-extension courses, and other events including a play, lecture, recital, and debate.

Extension staff also worked to ease the burdens faced by many in Minnesota during the Great Depression.

The university established centers throughout the state and helped 70,000 Minnesotans make mattresses with surplus cotton provided by the U.S. Department of Agriculture, according to

extension's Web site. Many had previously slept on cornhusk mattresses.

Gray wrote that World War II provided an impetus for extension to pursue an aggressive agenda in rural communities.

"With its group of allies, the farmers themselves, the agriculture campus was in daily communication throughout the war," Gray wrote. "Its army of county and home demonstration agents multiplied their visits as the emergency grew more and more acute and the government wished to see its gospels spread as far as possible."

The university launched demonstration projects in 50 communities as agents worked to encourage farmers to increase cultivation of their land.

Extension agents, now known as educators, advised farmers on agronomy and marketing a range of commodities — poultry, eggs, and dairy products. They also provided expertise on horticulture, vegetable gardening, forestry, and soils.

Wider reach

Following the Kennedy and Johnson administrations, extension educators focused on teaching science to 4-H clubs, and spent more



Photo courtesy of the Minnesota Historical Society

The North Central Agriculture School of Extension in Grand Rapids, pictured here in 1940, was one of several schools operated by the extension service in Greater Minnesota.

classrooms to reach out to rural communities, according to a history of extension posted on the university's Web site.

The university also had a General Extension Division beginning in 1913. Small groups gathered to take courses in advertising, salesmanship, business law, and creative writing.

Congress passed the Smith-Lever Act in 1913, which further supported the university's extension service. The federal law bolstered a nationwide effort between federal, state, and local governments to keep farmers up-to-date on the latest technology and information.

The state Legislature appropriated \$860,000 for county agent work during the 1913-1914 biennium. Another federal act provided \$4.3 million for extension efforts in 1917. The number of Minnesota counties with extension agents jumped from 16 to 85 during this period.

George Vincent, president of the university at the time, faced difficulties convincing other academics of extension's value to the state, according to Gray.

"To encourage extension work was to open the citadel of culture to an invasion of barbarians," Gray wrote of the attitudes of some in the university. "Destruction lay ahead for

time serving low-income families and the disabled, according to historian Ann Pflaum, in her book *The University of Minnesota: 1945-2000*.

Extension also had an international focus, advising the agriculture research institute in Chile on ways to collaborate with the country's farmers.

The extension division became known as Continuing Education and Extension in the 1970s. It continues to be one of the country's largest credit-based programs.

In 1986, the university dropped agriculture from the program's name, and it became the Minnesota Extension Service — a move intended to emphasize its broad mission. Later it formally became the University of Minnesota Extension Service to emphasize its ties to the institution.

Pflaum wrote that extension broadened its scope in the 1990s to include services for minorities, immigrants from Southeast Asia, and additional programs in Greater Minnesota, the inner city, and suburban communities.

Yet it continued to focus on rural communities during these years.

In an effort to respond to declining economic conditions in farming communities, extension educators formed "rural response teams" in 25 communities. The teams collaborated with state and local agencies to campaign for financial assistance.

By the time Mark Yudof became university president in 1997, enrollment in extension and continuing education reached more than 80,000 students compared to the 51,000 collegiate enrollment.

Conflicting visions

This session, Rep. Bob Ness (R-Dassel),



Photo taken from *The University of Minnesota: 1945-2000*

Extension agents have been advising farmers on agromomy and marketing a range of products for more than 50 years.

chair of the House Agriculture and Rural Development Finance Committee, has sponsored a bill (HF2708) directing the university's extension service to place less emphasis on community, economic, and human development programs in favor of a more traditional agriculture focus.

Two committees have approved the bill. It now awaits action on the House floor.

At a January committee hearing, other members of the state's agriculture community testified that extension should stay focused on farming.

University officials have responded to the criticism by arguing extension's mission goes

beyond just serving the needs of farmers.

"Extension needs to change," Charles Casey wrote to extension faculty and staff in December. "Our state's population is more urban and more diverse than ever before."

In written testimony addressed to the committee, Jim Werner, chief administrator of the Minnesota Farm Bureau Federation, said he believed extension was drifting away from agriculture.

"I would submit that the extension service is a 'people' business," Werner added. "The importance of working directly with people and more often than not, in a one-on-one setting, cannot be stressed enough."

Constitutional Officers

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Lieutenant Governor Mae Schunk 130 State Capitol 75 Constitution Ave. St. Paul 55155 (651) 296-3391	Secretary of State Mary Kiffmeyer 180 State Office Building 100 Constitution Ave. St. Paul 55155 (651) 296-2803	State Treasurer Carol Johnson 303 Administration Building 50 Sherburne Ave. St. Paul 55155 (651) 296-7091

Careful observer

Jordan brings local government experience and concern for public safety to Legislature

BY THERESA STAHL

Before February, Rep. John Jordan (R-Brooklyn Park) had not considered running for state representative.



Rep. John Jordan

"I had zero intention, zero desire to do it," he said.

But encouraging phone calls and e-mails from friends and business ties made him think twice. After receiving his family's blessing and his

company's approval, he decided to campaign. "It's humbling," Jordan said. "Almost a feeling of being drafted."

The seat for District 47A opened when Rep. Darlene Luther, who served five terms in the House, died Jan. 30 after a battle with stomach cancer.

If the Legislature fulfills its goal of adjourning by the Easter holiday, Jordan will only spend three weeks of his 9-month term in session. He said he won't begin campaigning for the November election until the session is over.

Born in St. Paul, Jordan has lived in Brooklyn Park for 17 years. He and his wife Michelle have two children — Erik, 15, and Allyson, 10 — one dog, and three cats.

Jordan, 41, believes residents deserve from their legislators "someone who will read about the issues, listen to constituents, learn what they can before voting, and make the best decision for residents."

Key issues in Jordan's campaign were equitable funding for education, public safety, transportation, and wise use of tax dollars.

In terms of education, he said it is unfair that Minneapolis schools receive \$2,000 more per student than schools in his district.

He also wants better roads and better transit opportunities, particularly Highway 610 and a busway on Highway 81.

"We need a balanced approach (to transportation) ... and we have to do it without raising taxes," he said. He does not support light-rail transit because it is being forced into developed areas. But he thinks commuter rail proposals, such as the Northstar Corridor plan, are good solutions to congestion because the infrastructure is already built for high-speed trains.

He didn't offer specific ways taxpayers' money was being unwisely used, but he said there are ways to streamline what the state does.

"What are we doing here that we could do better?" he said. "I intend to look for ways to economize. Now is the time."

Jordan said his city government experience is part of what may make him a good state representative. He has spent two years on the Brooklyn Park Planning Commission, served as vice chair on the Brooklyn Park Long-Range Improvement Committee, and sat on the board of directors for his local chamber of commerce.

His community involvement started when he formed a neighborhood watch group after his house was burglarized.

Another injustice, on a much greater level, sparked the business he runs today, an Internet-based business devoted to crime prevention.

In December 1999 the mother of a friend of Jordan's was shot by her estranged husband. She survived, and to track down her husband her son posted photos and information on a Web site, using a domain name of Jordan's.

The site first received local, then national media attention and then started receiving 1 million hits a month. The accused was arrested one year after the crime, convicted, and sentenced to 20 years without parole.

Jordan wondered, "What can we do with

this momentum?" So he met with police chiefs and crime prevention groups to determine what was needed, and then raised money to build a Web site. CitizenObserver.com was launched in August 2001. Currently 70 police departments use it to post information and rewards about their fugitives, missing persons, and unsolved crimes.

The Web site also caught the eye of the Bush administration, and Jordan recently traveled to the White House to discuss his venture with the Office of Homeland Security. He said their support will allow the company to move significantly faster than in normal business operations. Jordan said they have a three-year plan to expand nationally.

From his business to community work, Jordan follows through on his word, said Brooklyn Park Mayor Grace Arbogast.

Jordan asked that Arbogast hold the Bible when he would be sworn into office March 8.

"I really wanted to make it a Brooklyn Park affair," Jordan said.

Over the six years Arbogast has known Jordan, she said she's learned how he will be a representative who is going to carry out what is best for his region.

"He will be in touch with and working with residents of Brooklyn Park that he serves," she said.

"I will have an extremely open door policy," Jordan said. If someone leaves a message he said he will always return the call.

"It's a legacy that Luther left of really good constituency, and I intend to continue that."

DISTRICT 47A

1998 population (estimate): 39,552

Largest city: Brooklyn Park

County: Hennepin

Location: northern Minneapolis suburbs

Top concern: "Education, safe neighborhoods, good transportation, and wise use of tax dollars."

— Rep. John Jordan

Wednesday, March 6

HF3661—Davnies (DFL)

Civil Law

Graffiti damage actions authorized.

HF3662—Osthoff (DFL)

Local Government & Metropolitan Affairs

Ramsey County sheriff and attorney offices made appointive.

HF3663—Seifert (R)

Transportation Policy

Transportation building energy conservation required.

HF3664—Abrams (R)

Local Government & Metropolitan Affairs

Local municipal bonding authority restrictions provided.

HF3665—Bernardy (DFL)

K-12 Education Finance

School district referendum equalization aid increased.

HF3666—Smith (R)

Civil Law

Housing warranty breach damages modified to include attorney fees.

HF3667—Murphy (DFL)

Governmental Operations &

Veterans Affairs Policy

Parole and probation officer retirement coverage provided under the local correctional employee plan or state correctional employee plan.

HF3668—Erhardt (R)

Taxes

Sales and use tax imposed on certain telecommunications installation charges.

Thursday, March 7

HF3669—Rifenberg (R)

Taxes

Owner-occupied and owner-operated lodging property tax classification established.

HF3670—Tuma (R)

Crime Prevention

Truancy; child in need of protection or services cases counsel at public expense abolished if the sole basis for the petition is habitual truancy.

HF3671—Abeler (R)

Taxes

Commercial improvements property tax valuation exclusion provided.

HF3672—Abeler (R)

Health & Human Services Policy

Clinical nurse specialist waiver provided.

HF3673—Smith (R)

Higher Education Finance

Higher education funding accountability financial audit required.

HF3674—Smith (R)

Taxes

Property leased to school districts exempted from taxation under certain circumstances.

HF3675—Anderson, I. (DFL)

Taxes

Agricultural homestead property tax class rate reduction provided.

HF3676—Rifenberg (R)

Taxes

Property tax classification provided for bed and breakfast lodging facilities.

HF3677—Stanek (R)

Transportation Finance

Special "United We Stand" license plates issued, creating a Minnesota anti-terrorism account created, annual contributions required as a condition of using the special license plates, and money appropriated.

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9 A • Rep. Kevin Goodno-(R) B • Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	23 A • Rep. James T. Clark-(R) B • Rep. Howard Swenson-(R) Sen. Dennis R. Frederickson-(R)	37 A • Rep. Dennis Ozment-(R) B • Rep. Mary Liz Holberg-(R) Sen. Pat Parisseau-(R)	51 A • Rep. Andrew Westerberg-(R) B • Rep. Vary Vandever-(R) Sen. Jane Krentz-(DFL)	65 A • Rep. Andy Dawkins-(DFL) B • Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
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14 A • Rep. Steve Dehler-(R) B • Rep. Doug Stang-(R) Sen. Michelle L. Fischbach-(R)	28 A • Rep. Connie Ruth-(R) B • Rep. Steve Sviggum-(R) Sen. Dick Day-(R)	42 A • Rep. Ron Erhardt-(R) B • Rep. Erik Paulsen-(R) Sen. Roy Terwilliger-(R)	56 A • Rep. Mark William Holsten-(R) B • Rep. Eric Lipman-(R) Sen. Michele Bachmann-(R)	

Schedule is subject to change.
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House committee schedules are also available on the Web site at <http://www.house.mn/hinfo/schedule/index.htm>.

MONDAY, March 11

9 a.m.

Topic Selection Subcommittee of the Legislative Audit Commission

125 State Capitol

Chr. Sen. Claire Robling

Agenda: Review list of possible program evaluation topics and select those for further consideration.

10:15 a.m.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: Continuation of hearings on sports stadium bills and consideration of resulting legislation and related amendments.

12:30 p.m.

THE HOUSE MEETS IN SESSION.

30 minutes after session

WAYS & MEANS

5 State Office Building

Chr. Rep. David Bishop

Agenda: To be announced.

6:30 p.m.

NOTE TIME CHANGE

Legislative Commission on Pensions and Retirement

112 State Capitol

Chr. Sen. Dean Johnson

Agenda: Potential additional amendments to the 2002 omnibus retirement bill. Review of proposed procedures for awarding post-June 30, 2002 actuarial services contract. Review of implementation plan study for the aggregation

of the four teacher retirement plans. Other items as designated by the chair.

TUESDAY, March 12

8 a.m.

Legislative Coordinating Commission Subcommittee on Employee Relations

500S State Office Building

Chr. Rep. Carol Molnau

Agenda: Review/approve proposed managerial plan.

Review/approve commissioner's plan.

Review/recommend salary cap waiver for Rochester Public Utilities manager.

Update on negotiations with state employees.

Review of HF2033, defining state radio communications operators as essential employees.

Other items as approved by the chair.

10:15 a.m.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: Continued consideration, if necessary, of sports stadium legislation and related amendments.

Hearings on other bills to be announced.

12:30 p.m.

THE HOUSE MEETS IN SESSION.

WEDNESDAY, March 13

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

Basement Hearing Room

State Office Building

Chr. Rep. Jim Rhodes

Agenda: To be announced.

9 a.m.

THE HOUSE MEETS IN SESSION.

30 minutes after session

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

THURSDAY, March 14

9 a.m.

THE HOUSE MEETS IN SESSION.

30 minutes after session

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

FRIDAY, March 15

8:30 a.m.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

Minnesota State Agencies

(Area code 651)

Administration	296-6013
Agriculture	297-2200
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3644
Employee Relations	297-1184
Job Information	296-2616
Finance	296-5900
Health	215-5803
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	296-6117
Labor and Industry	296-6107
Military Affairs	282-4662
Natural Resources	296-6157
Pollution Control Agency	296-6300
Public Safety	296-6642
Driver and Vehicle Services ...	296-6911
Fire Marshal	215-0500
Alcohol and Gambling	
Enforcement Division	296-6979
State Patrol	297-3935
Public Service	296-5120
Revenue	
Taxpayer Assistance	296-3781
Toll Free	1-800-652-9094
Trade and	
Economic Development	297-1291
Office of Tourism	296-5029
Transportation	296-3000
Veterans Affairs	296-2562
State Information	296-6013

Minnesota Memorials



PHOTO BY ANDREW VON BANK

Peace officers memorial

Between 1882 and June 1995, 177 Minnesota peace officers were killed in the line of duty.

On June 14, 1995 a memorial to honor them was dedicated at the intersection of 12th and Wabasha streets in the southeast corner of the Capitol complex.

"Their sacrifice can never be forgotten as they did not die in vain," reads an inscription atop columns nearest the streets.

Begun in 1993, construction of the \$500,000 memorial was completed with private fundraising. The state contributed \$50,000 for a maintenance fund.

One highlight of the memorial is a fiberoptic blue line that runs down the center of the memorial. It represents the thin, blue line peace officers walk every day between anarchy and civilization.

At the north end of the memorial is a plaque that was originally placed at Minneapolis-St. Paul International Airport in 1977. The plaque is on the backside of an obelisk that features a passage from the Bible: "Blessed are the peacemakers, for they shall be called the children of God." Two eagles are engraved near the saying.

Unlike many memorials, names of those peace officers killed are not included.

"We wanted this to be as much about those that are presently serving as those who have died in the line of duty," Dennis Flaherty told the St. Paul Pioneer Press before the dedication. At the time, Flaherty was executive director of the Minnesota Police and Peace Officers Association. "We wanted something that people would see and think about the difference the police — both living and dead — make in our lives."

(M. Cook)

Moving?

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Reflections

When President George W. Bush flew to Minnesota on Air Force One March 4, by many accounts he was the nation's 24th chief executive to visit the state. Counted in this grouping are some who came before they held the nation's highest office and others who visited after they served.

Zachary Taylor was the first to arrive. He came to Fort Snelling in 1828 as the military post's new commandant. At the time, the post was located in what later became the Minnesota Territory in 1849. Taylor served as president in 1849 and 1850 before dying in office.

Millard Fillmore, who finished Taylor's term, came up the Mississippi River by riverboat to St. Paul in 1854 with a large excursion party of easterners.

A celebration of his arrival is now an annual social event in the Capital City.

And in 1979, President Jimmy Carter left town aboard the Delta Queen riverboat with his family to spend five days cruising to St. Louis.

Previously, Carter flew into the state twice. In October 1977 he stopped to give Hubert H. Humphrey a ride back to Washington after the senator had cancer surgery. Three months later Carter returned for Humphrey's funeral.

Warren Harding campaigned here in 1920, one year after his opponent, President Woodrow Wilson, came to St. Paul as part of an 8,000-mile trek to generate public demand for Congress to ratify an international security treaty. The exhausting trip cost Wilson his health, and he lost the upcoming election to Harding.

President Franklin D. Roosevelt visited in 1936 during a re-election campaign. And once during World War II, he likely was on board his presidential train when it secretly stopped in Minneapolis for

refueling. His dog, Fala, was seen being exercised on the station platform.

Like when his father came in 1991 to discuss education issues, the President Bush was greeted by state and local Republican leaders on his recent visit.

When President Bill Clinton arrived late one night in 1994, a few Democratic leaders were there to greet him. However, the next morning, one, Rep. Phyllis Kahn (DFL-Mpls), had the honor of jogging

with him in downtown St. Paul, prior to the president's speech on health care. Many state and local Democratic leaders were present for the speech.

Other chief executives who visited Minnesota included Grover Cleveland, Calvin Coolidge, Dwight D. Eisen-

hower, Rutherford B. Hayes, Herbert Hoover, John F. Kennedy, Lyndon B. Johnson, William McKinley, Richard Nixon, William Taft, and Harry Truman.

Former President Ulysses Grant and President Chester Arthur were in St. Paul two weeks apart in 1883 to help celebrate the completion of the Union Pacific Railroad.

Like Hayes in 1878, Theodore Roosevelt spoke to Minnesotans at the state fair in 1901. It was at the fair that Roosevelt uttered his famous quote: "Speak softly and carry a big stick."

Roosevelt was vice-president at the time under William McKinley, albeit not for long. McKinley was assassinated four days later, when Roosevelt was returning to Washington from the fair.

He would return to the fair in his new role as president in 1903.

—LECLAIR GRIER LAMBERT



President Theodore Roosevelt speaking at the Minnesota State Fair.

Photo courtesy Minnesota Historical Society

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

MINNESOTA

I N D E X

Women in Minnesota

Women in the Legislature	59
Overall increase since the 2000 general election	1
Percent of women in the Legislature	29.4
In 1996	30.3
In 1992	27.4
In 1972	3
Percentage of Minnesota women and girls age 16 and older in the state's labor force, 2000	70.3
National rank	1
National average, as percent	60.2
Percentage of Minnesota women in the labor force in 1990	62.5
In 1980	54
In 1970	43.5
Minnesota women with children under age 18 in the labor force during 2000, as percent	72.9
National average	70.6
State percentage in 1980	64.3
Minnesota women, age 25 and above, that have at least a high school diploma, as percent	92.2
National average, as percent	84
National average in 1940, as percent	25.9
Percentage of white Minnesota women, age 25 or greater, with at least a high school diploma	85
African-American women	78.3
Hispanic women	57.5
Percentage of Minnesota women, age 25 or greater, with at least a bachelor's degree	29.2
National average	23.6
Minnesota white women, age 25 or greater, with at least a bachelor's degree, as percent	23.9
African-American women	16.7
Hispanic women	10.6
Life expectancy, in years, for Minnesota women, in 1995	80.8
For Minnesota men	75.1
National numbers, in 1998	79.5, 73.8
Minnesota pregnancy rate for women ages 15 to 44, per 1,000 women, in 1999	62.5
Highest county (Watonwan)	83.3
Lowest county (Cook)	46.7
National rate	65.9

Source: Minnesota Legislative Commission on the Economic Status of Women (www.lcesw.leg.mn),
1999 Minnesota Annual Health Statistics Summary, Minnesota Department of Health.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

MARCH 15, 2002

VOLUME 19, NUMBER 7



In this issue:

BUDGET PLAN ADVANCES

FUTURE OF GOVERNOR'S RESIDENCE, AND MORE

HF3678-HF3691

Session Weekly

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

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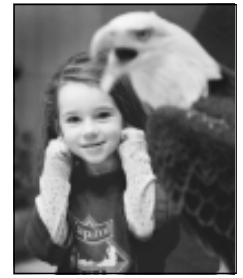
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On the cover: Lobbyists fill the room at the March 8 meeting of the House Capital Investment Committee. That date was the final committee deadline, meaning omnibus budget bills had to be out of House and Senate finance committees.

—Photo by Andrew Von Bank

Fulfilling many wants

House bonding bill represents more than \$700 million for projects across the state, funding for commuter rail uncertain

BY THERESA STAHL

More than \$737 million in projects would be funded by state general obligation bonds, under the House bonding proposal. But as it stands now, the plan contains no funding for the Northstar Corridor commuter rail project.

The House Capital Investment Committee included \$30 million for the project in the bill (HF3618) it approved March 8. But the House Ways and Means Committee removed the project at its March 11 meeting.

The bonding bill was scheduled for debate by the full House March 14, but it had not been taken up when this issue of Session Weekly went to press. Whatever version of the bill passes the House will likely require a conference committee because of differences with the Senate plan.

Proponents are concerned about capturing

members voted to reject the committee's established bonding recommendations because they could not agree about the project.

Rep. Carol Molnau (R-Cologne), chair of the transportation finance committee, has long voiced her disapproval of the project and reiterated that viewpoint during the March 8 hearing.

"It will not alleviate the problem of congestion," she said. Studies have shown railways have had virtually no impact on congestion, Molnau said. She added that light-rail transit has cost the state more than was anticipated.

"Highways are not good enough for the future," countered Rep. Kathy Tingelstad (R-Andover), who carried the project amendment.

The Department of Transportation originally requested \$120 million for the project, which was recommended for full funding by the governor.



PHOTO BY TOM OLMSCHIED

Funding for the Northstar Commuter Rail line was rejected by the House Ways and Means Committee on March 11.

federal matching dollars for the Northstar Corridor project that would build a, commuter-rail system on existing railroad tracks between St. Cloud and Minneapolis.

The plan created debate in the House Transportation Finance Committee, where mem-

Tingelstad said \$30 million would cover costs for design and land acquisition.

The Senate has allocated \$8 million for the project in its bonding bill.

The House bonding plan is only a few million below Gov. Jesse Ventura's initial recom-

mendation of \$746 million in general obligation bonding. However, the governor has suggested bonding projects should be closer to \$500 million considering the state's budget situation.

The Senate proposal is nearly \$1.2 billion.

During the March 13 floor session, Rep. Philip Krinkie (R-Shoreview) offered a minority report regarding the bonding bill that aimed to replace the bill's existing language with a proposal that totals nearly \$398 million.

"Let's maintain and repair what we currently have," he said.

Krinkie said he doesn't think it is fiscally prudent to spend additional money when the budget isn't balanced.

Rep. Jim Knoblach (R-St. Cloud), the capital investment committee chair, asked members to vote against the move. He pointed out that the bonding bill stays within the state's financial guidelines.

Krinkie's motion failed on a 14-114 vote.

The following are some highlights of the House bonding proposal.

Higher education

The Minnesota State Colleges and Universities (MnSCU) system would receive almost \$200 million, the greatest amount for bonding in the House's proposal. The allocations, which include \$60 million for general maintenance and asset preservation, would reach nearly all system campuses.

Two new science buildings would be constructed, one at Winona State University for a cost of \$29 million and another at Minnesota State University, Moorhead for nearly \$13 million.

Southwest State University would receive money to replace the food service building destroyed by a fire in January. State funds would cover expenses not paid for by insurance companies.

Other projects include \$17.4 million for a library and information access center at Metropolitan State University; \$12.6 million for a student center at Minneapolis Community College; and \$9.2 million for a classroom/technology building at Alexandria Technical College.

The House proposed funding for several University of Minnesota projects at the full amount requested but would only give \$40 million, or half of the amount requested, for asset preservation.

On the Minneapolis campus, \$24 million would be designated for the renovation of



Conservation concerns

Balance urged for early 20th century forest management

At the turn of the 20th century, the timber industry was gaining momentum in Minnesota, and forestry officials and academics were looking at its continued viability.

The state had just passed two fundamental laws: one governing fire prevention in forest lands and the other creating a state forestry board to manage the forests.

A book surveying forestry in Minnesota published in 1902 indicates optimism over the future of the industry, but it also warns that certain management issues must be addressed.

In particular, author Samuel Green, a professor of forestry at the University of Minnesota, discussed restocking, the quality of timber, and the effects of population growth on forests statewide.

"We are working our timber resources as though they were a mine, which can never be restocked," Green wrote. "This great timber industry, of so much value to the state, would be continued indefinitely under normal conditions. But there is practically no timber land in this state under normal conditions, and there is little or no increase on the far greater part of our cut-over timber lands."

During 1899 and 1900, the state Bureau of Labor reported that nearly 32,000 people, nearly all men, were employed in forest and woodworking pursuits, collecting more than \$4 million in wages.

Residents of Minnesota were also using timber for fuel. Green was concerned that certain parts of the state had a surplus of dead and downed timber, suitable for fuel, but there was no way to clear it and get it to parts of the state where it could be used.

However, other economic considerations — such as land taxes and overall management practices — were higher on the priority list for legislative attention.

"Taxes on timber lands are generally excessive in this country, and entirely out of proportion to the value of the land, and it is largely on account that owners of timberlands do not care to hold them," Green wrote. "This, as a matter of state policy, is unwise, for the reason that it prevents the development of economic forestry."

Green pointed to forest practices in Germany as a model for landowner forest management and government intervention. He advocated the European practice of treating forest land as a special class for tax purposes.

He also supported the idea of encouraging game in forests and requiring government management only when private owners weren't taking steps to replant and maintain volume. The goal of game hunting in the forests is to increase public interest in the forests and their maintenance.

It's also a good way to recruit supporters for forest concerns, he said.

Some German provinces controlled timber cutting to only the increase in trees each year. While Green advocated that assurances of future growth should not be

left entirely to landowners, he suggested a balance between the two.

Professor Green warned that the fire suppression law passed in 1895 did not have enough funding attached for effective prevention.

"The area to be covered is very large, much of it is very sparsely populated, and the funds available are very meager for best results," Green wrote, "so that, although it has been very ably enforced, and some convictions made under it, yet it should be amended in several respects to make it effective."

Several large fires between 1908 and 1918 destroyed forests in northeastern Minnesota, despite efforts to prevent fires in the region.

The industry hit its peak in 1905, but large replanting efforts did not materialize until after 1910. Government conservation efforts, including the establishment of the Superior National Forest, began in 1909.

Further expansion of forest conservation in the state began in the late 1920s and continued with the advent of the federal Civilian Conservation Corps in the 1930s.

Today, timber sales total about \$13 million annually. A large portion is managed for timber production, while a significant percentage is kept for recreation, wildlife habitat, and insect and disease control.

(M. KIBIGER)

Photo courtesy of the Minnesota Historical Society



Forest rangers displaying fire fighting tools in 1928.

Nicholson Hall, which would house classrooms for freshman students, writing and language centers, and computer labs. The Mineral Resources Research Center would receive \$18.4 million for design, renovation, furnishing, and equipment.

A new building for the chemistry and biology programs and enhancement of other science facilities at the Duluth campus would be funded for \$25.5 million. Also, \$8 million was allocated for renovation on the Morris campus.

Transportation, public safety

The proposal includes \$48 million for local bridge assistance, \$26 million for high-use local roads of regional significance, \$25 million for local highway improvements, and \$10 million for 10-ton road upgrades.

An amendment by Rep. John Jordan (R-Brooklyn Park), offered during the House Capital Investment Committee hearing, reduced the allocation for local roads by \$4 million to pay for the Northwest Busway between Minneapolis and Rogers.

A \$26 million allocation for a statewide public safety radio system would assist nine counties in the Twin Cities metropolitan area in linking to a high-frequency system for emergency personnel.

Economic development, housing

The Rural Finance Authority Loan program would receive \$15 million under the proposal.

The Department of Trade and Economic Development would receive \$22 million for redevelopment grant funding, \$16 million for Minnesota Public Facilities Authority matching grants, nearly \$16 million for Wastewater Infrastructure Funding Program grants, and \$3.25 million for expansion of the St. Cloud Civic Center.

Environment

The Department of Natural Resources would receive \$89 million to fund state environment projects. A state park initiative would be awarded \$25 million; flood hazard mitigation would receive nearly \$22 million in grant money; and metro regional parks and Greater Minnesota regional parks would each receive almost \$11 million.

The Pollution Control Agency would receive \$10 million for the closed landfill cleanup program, under the bill.

State buildings

The House followed the governor's recommendations for the Department of Corrections facilities.

The Stillwater prison would receive

Continued on page 27

Editors note: House committees unveiled the second round of budget reductions March 12. The largest cuts come from health and human services portions of the state budget. That proposal is outlined on page 16. The other portions of the budget affected by the further reductions are included in the highlights section that follows.

The House was debating the measures late March 14 when this edition of Session Weekly went to press. Look for further updates in the next issue or on the Session Daily Web site at <http://www.house.mn/hinfo/sdaily/sdaily.htm>.

★ AGRICULTURE

Biodiesel bill passes

A bill requiring that all diesel fuel sold in the state contain an additive derived from animal fats or plant oil, typically soybeans, is on its way to the governor.

The House passed the 2 percent biodiesel requirement 78-53 on March 11 after the Senate approved the measure 53-11 earlier in the day. If the governor signs the requirement, Minnesota would be the first state in the nation to have such a mandate.

Supporters of the statewide requirement — which would go into effect in 2005 or earlier if the state passed a biodiesel tax credit — call the measure a boon for Minnesota soybean producers and rural communities. Meanwhile opponents, particularly the state's trucking firms, have labeled the plan a costly mandate for diesel users.

Under HF1547/SF1495*, sponsored by Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing), the requirement would not take effect until the state's biodiesel production exceeds 8 million gallons.

The requirement would not apply to motors used by nuclear power plants, trains, and taconite and copper mines. Those industries would have two years to study the costs of biodiesel.

Another compromise measure would require the state to reimburse processors for up to 80 percent of costs associated with transitioning to biodiesel if the mandate is repealed within two years of the effective date.

Rep. Torrey Westrom (R-Elbow Lake) predicted that biodiesel would be the state's "second oil well" after ethanol. "We have a real opportunity to be a forerunner on this issue," he said.

Proponents also argued that the biodiesel requirement would make the state compliant

with a 2006 federal mandate requiring states to remove sulfur from diesel. Biodiesel would be an acceptable alternative as a lubricant.

Legislators supporting the plan dismissed opponents' predictions of high costs, pointing to studies and surveys showing the cost of a gallon of diesel fuel with the additive increased a maximum of 2 to 3 cents.

Finseth said the bill would bolster the state's rural economies by requiring that 50 percent of the biodiesel be "home grown."

Some House members from suburban districts denounced the measure as a subsidy for farmers that unfairly shifts the costs to truckers and taxpayers.

Rep. Tim Wilkin (R-Eagan), who tried unsuccessfully to send the bill back to conference committee, said the requirement would "make Minnesota an island."

He said it would burden truckers, who he argued operate under "razor thin margins."

Rep. Doug Peterson (DFL-Madison) challenged Wilkin's island analogy. "Minnesota could lead, follow, or get out of the way," he said. "And I'd rather lead."

★ CONSUMERS

Prohibiting sales calls

The House Jobs and Economic Development Finance Committee approved a bill March 7 that would prohibit most telephone solicitations to people who sign up for a state do-not-call list.

HF2710 next goes to the House Ways and Means Committee.

The bill would allow phone customers to sign up for a list maintained by the Department of Commerce. Telephone solicitors would be prohibited from calling those on the list.

Rep. Matt Entenza (DFL-St. Paul), sponsor of the measure, said several states adopted similar legislation last year and most remaining states are considering proposals this year.

The committee adopted an amendment changing the fee that telemarketers would be required to pay to purchase the do-not-call list from \$15 to \$125. Under the amended bill, the fee would be reduced to \$90 in fiscal year 2004 and then to \$75 for the following years.

The Department of Finance estimates the bill would cost \$482,000 for fiscal year 2003, \$348,922 for fiscal year 2004, and \$299,197 for fiscal year 2005, making the fees necessary, Entenza said.

The numbers are based on the Department of Commerce having to hire three full-time

investigators and other staff and equipment. The estimate is also based on 1,000 telemarketing companies purchasing two lists per year.

Entenza said that with 140,000 telemarketing companies nationwide, he thought the estimated 1,000 purchasers was too low.

Rep. Arlon Lindner (R-Corcoran) said that because of the cost of the bill and because the state is trying to address a budget deficit, the committee should not approve the measure. He expressed doubt that the legislation would work and noted that the bill does not prohibit nonprofit organizations from making calls to those on the list.

Entenza said that 85 percent of telemarketing calls come from commercial businesses.

Michael Schumann, a St. Paul business owner, said the problem cannot be addressed through legislation. He said the bill would instead take away an existing tool that he has used to stop unwanted calls.

Schumann said that Qwest offers its customers a screening service that prevents companies without valid caller identification information from ringing the subscriber's telephone. He said the bill would require the companies to activate their caller identification information and thus those calls that are now prevented would get through.

★ CRIME

Keg registration

Beer kegs sold in the state must be labeled with an identification tag, under a bill signed into law by Gov. Jesse Ventura.

Sponsored by Rep. Steve Dehler (R-St. Joseph) and Sen. Don Betzold (DFL-Fridley), the measure was passed by the House in 2001. The Senate passed the bill March 11, and Ventura signed it March 13.

Dehler said the measure is meant to crack down on underage drinking, which is a problem in his community.

Effective Aug. 1, 2002, off-sale retailers must attach a identification tag to each keg they sell. The tag must include the retailer's name, address, telephone number, keg identification number, and a warning that removing the tag is a crime.

The law requires off-sale retailers to record the driver's license number and keg

Signed
by
the
governor
★ ★ ★

identification number at the time of the sale. The retailer must also record the date and time of the sale, and must collect the purchaser's signature.

Information collected must be kept for at least 90 days, and the retailer must make the information available to law enforcement officials upon request.

The law will also make it illegal for store clerks to knowingly record false information for the sale, although the law does not set a fine for those who do.

Dehler said the law does not set any new penalties for violators, and that existing civil and criminal laws continue to place responsibility upon those who purchase alcohol.

Store clerks are liable only if they knowingly sell liquor to people under 21 years old.

HF58*/SF389/CH232

★ DEVELOPMENT

Minerals fund may lose money

Pulling more than \$8 million from the 21st Century Minerals Fund over the next three years, the House approved cuts for the second phase of the budget reduction plan.

February's gray economic forecast has forced further cuts on every area of the state budget. The body passed HF3011, sponsored by Rep. Dan McElroy (R-Burnsville), on March 14 by a 73-59 vote.

The total reductions would result in a transfer of \$8 million to the general fund in the current biennium and \$6 million in 2004-2005. The minerals fund would lose \$6.7 million in this biennium and \$1.6 million in the 2004-05 biennium.

Rep. Tom Baak (DFL-Cook) offered an amendment that would restore money to the minerals fund.

"What we desperately need on the iron range is an investment in the future," he said.

McElroy said he agrees that the mining industry has to change, but said the fund will be higher than was anticipated at the end of biennium, and the remainder of funds is sufficient to meet current needs.

The amendment would take money from the workers compensation fund, which McElroy said would result in an increase in workers compensation premiums across the state.

The amendment failed on a 63-68 vote.

During the current and next bienniums, the bill would cut \$1.4 million from the Jobs Skills Partnership Program, which McElroy said has a carryover of about \$1 million.

Additionally, the Minnesota Film Board would lose a total of nearly \$1.4 million, and the Manufactured Home Park Redevelopment

Program would be reduced by \$400,000 just in the current biennium.

The following cuts would be made in 2004-2005:

- \$800,000 from the Minnesota Youth Program;
- \$600,000 from the Youth Intervention Program;
- \$512,000 from the Challenge Program administered by the Housing Finance Agency;
- \$460,000 from the Housing Rehabilitation and Accessibility Program; and
- \$120,000 from the Minnesota Historical Society's general fund.

The bill now goes to the Senate.

★ EMPLOYMENT

School employee benefits

Summer unemployment benefits for school food service employees would become part of permanent law, under a bill approved March 12 by the House Jobs and Economic Development Finance Committee.

"The employer pays the unemployment to keep them over the summer months," explained Rep. Loren Jennings (DFL-Harris), sponsor of HF3082.

SNOWY TRACKS

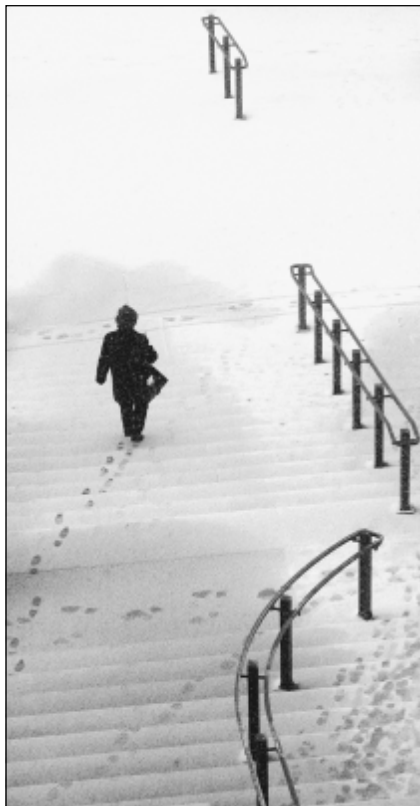


PHOTO BY ANDREW VON BANK

A State Capitol visitor finds a new blanket of snow covering the ground March 14.

Rider language, which designates legal policy for appropriations, since 2000 have allowed the employees to collect unemployment during the summer.

The state unemployment fund would not be affected; food service employers would pay for the benefits.

Unemployment is funded through a tax to businesses. Lee Nelson, unemployment insurance director for the Department of Economic Security, said the 11 school food service employers in the state are "not anywhere near the maximum tax rates."

Rep. Tony Sertich (DFL-Chisholm) introduced an amendment that would provide similar benefits to school bus drivers.

However, Nelson said it may be "impossible to administer" for several reasons. One problem would be that some school bus employers are at the maximum tax rate, he said.

Gary Botzek, a lobbyist for the Minnesota School Bus Operators Association, said he is concerned about the \$8 million the bill may cost. The association represents 192 members who operate or own more than 5,000 buses.

Sertich withdrew the amendment, but said he will work on the language and offer it again. The bill needs to stop at two other committees before it can receive a vote on the House floor.

HF3082 now travels to the House Rules and Legislative Administration Committee.

★ ENVIRONMENT

Budget reductions

An additional \$10 million in environmental and natural resources spending cuts passed the House 70-62 on March 14 as part of the second round of trimmings.

Under the previously approved budget law, the Legislature cut spending on environment and natural resources programs by \$12.9 million this biennium. That plan focused on a projected \$1.9 billion budget deficit.

The new cuts are in response to a revised economic forecast issued in February that revealed an additional budget shortfall of about \$440 million.

After clearing the House Environment and Natural Resources Finance Committee on March 12 and the House Ways and Means committee the next day, HF766 moved to the House floor.

The bill would reduce recycling-promotion grants to counties to about \$5 million in fiscal years 2004-05. The Office of Environmental Assistance would be directed to provide a statewide message emphasizing waste reduction as a substitute for local outreach efforts.

It would also transfer about \$1 million from the Pollution Control Agency to the Office of Environmental Assistance to administer the state's household hazardous waste program.

Rep. Mark Holsten (R-Stillwater), chair of the House Environment and Natural Resources Finance Committee and bill sponsor, said counties would be expected to spend the remaining dollars on the more immediate task of recycling and reducing solid waste.

Rep. Jean Wagenius (DFL-Mpls) worried the cuts would hamper innovative county efforts and lead to an ineffective "top-down approach."

"Counties have taken the lead on waste management," she said.

The committee later adopted an amendment offered by Rep. Tom Osthoff (DFL-St. Paul), which calls on the Legislature to restore funding for the recycling programs by tapping into the solid waste fund if additional money becomes available. The Legislature, however, would not be able to draw down the fund to the point that it couldn't meet other obligations.

The bill awaits action in the Senate.

Land designation, ATV usage

A plan designating more than 100,000 acres in northwestern Minnesota as wildlife management areas advanced in committee March 8.

The House Environment and Natural Resources Finance Committee approved HF1359, sponsored by Rep. Dennis Ozment

(R-Rosemount), and referred it to the House Taxes Committee.

Under the plan, 102,315 acres in Beltrami, Marshall, and Roseau counties currently designated as state consolidated conservation land would become wildlife management areas.

Since the land would be taken off the tax rolls, counties would receive payments in-lieu of tax from the state lottery fund. The payments to counties would subsequently increase from 44 cents per acre to about \$3.54 an acre.

Committee Chair Rep. Mark Holsten (R-Stillwater) expressed concern about the funding process, predicting the state would have fewer dollars for other habitat programs.

The designation would complete a state initiative to convert 1.5 million acres of the conservation lands into wildlife management areas. The Department of Natural Resources has pushed to set aside the land.

In a fact sheet on the bill, the department wrote: "Without proper designation, these lands remain in a type of 'management limbo' without specific guidance and attention to their best use potential and without the ability to control usage of these lands."

The bill also contains provisions on all-terrain vehicle (ATV) use in state wildlife management areas. It directs the DNR commissioner to designate at least 90 miles of trails for the vehicles by Jan. 15, 2004.

The department would be required to report to the Legislature on its progress during the next two sessions.

At the hearing, DNR Deputy Commissioner Steve Morse said the department would prefer a scaled back target for new trail designations.

HF1359 also authorizes the department to enforce ATV use violations. This section of the bill would be valid until Jan. 15, 2004.

Among other penalties, it would allow the commissioner to arrest or ticket a rider who purposefully causes "serious damage" to the wildlife management area.

FAMILY



Early education funding

The House passed a bill March 14 that would trim another \$6 million from its budget in the area of early childhood and family education.

The bill, approved 68-64, also projects cuts of another \$15 million for fiscal years 2004-2005.

HF2902, sponsored by Rep. Barb Sykora (R-Excelsior), chair of the House Family and Early Childhood Education Finance Committee, returns money to the state's general fund by making cuts, slowing the growth of programs, and requiring local communities to come up with a 25 percent match for one program.

The bill would cut another \$500,000 from the child-care development fund, which also lost \$500,000 under the budget balancing plan that became law March 1.

Family and early childhood education will lose \$4 million for fiscal years 2002 and 2003 in the law, but \$3 million was returned by the transfer of federal Temporary Assistance for Needy Families (TANF) funds.

The new plan also freezes funding for the adult basic education program in 2003 at the 2002 level of \$32.4 million. The bill would also limit the program's growth to 5 percent per year, instead of the current 8 percent.

Basic sliding fee child care, a program that helps working families not on welfare pay for child care, would also take a hit, losing \$1 million a year through 2005 under the bill.

State aid to communities for after-school enrichment programs would also require a 25 percent match from the community, and its base funding would be cut back by 25 percent beginning in 2004. Previously there was no local match required for the grant.

About \$1.7 million will also be added to the general fund by placing a limit on each school district's early childhood and family education reserve account.

Some DFL members were unhappy with further cuts to child-care assistance and other programs.

Rep. Mary Jo McGuire (DFL-Falcon Heights) said the state is balancing the

TOO LOUD



PHOTO BY TOM OLMSCHIED

Devin Roelke, left, and Maura Curry from the Capitol Child Care Center in St. Paul cover their ears while Tempest, a 17-year-old American Bald Eagle, does a territorial scream in the Capitol Rotunda during the annual Minnesota Zoo Day March 11.

budget by targeting the most vulnerable members.

Rep. Nora Slawik (DFL-Maplewood) agreed, adding that the state held K-12 and higher education safe from further budget cuts.

"What about hurting little kids?" she asked. "We are hurting little kids."

Rep. Gregory Gray (DFL-Mpls) said the state should be able to come up with \$6 million to spare programs that help children from further cuts in 2003.

Republican members responded by stating that the bill doesn't cut programs but only limits growth.

Sykora said she invited those who disapproved of the plan to suggest other ways to trim the committee's budget but was given no feedback.

The bill next goes to the Senate.

★ GAME & FISH

Licensure changes

People convicted of hunting while under the influence of alcohol or drugs would be barred from obtaining a lifetime hunting license within five years of the offense, under a bill sent to the House floor March 8.

The House Environment and Natural Resources Finance Committee approved HF2604 with little discussion. Sponsored by Rep. Dennis Ozment (R-Rosemount), the bill would apply to lifetime licenses to hunt with a firearm or by archery.

The rest of the bill would authorize the state to issue lifetime licenses for deer hunting by archery, as well as by firearm, already authorized under state law. Lifetime licenses may also be purchased for fishing and small game hunting.

To be eligible for the lifetime license, the hunter would have to be a resident of Minnesota for at least one year. A hunter under age 21 would have to be the child of someone who has lived in the state for a minimum of one year.

The fees for lifetime licenses are as follows:

- \$337 for children 3 and younger;
- \$450 for ages 4 to 15;
- \$573 for ages 16 to 50; and
- \$383 for those over 51.

The money from the license fees would be dedicated to the lifetime fish and wildlife trust fund.

Another game and fish bill also cleared the committee at the March 8 meeting. HF3128, sponsored by Rep. Tom Hackbarth (R-Cedar), would allow a licensed hunter to kill game with a 0.50 Action Express handgun cartridge.

LITTLE LOBBYIST



PHOTO BY TOM OLMSCHIED

Five-year-old Ashley Burnside colors a drawing of the state that will later be taped to a legislators door as part of the March 14 Early Childhood Parent Rally Day. Ashley came with her mother, Christi, and younger sister, Kayla, to meet with legislators to encourage continued funding for the early childhood and family education (ECFE) programs. Ashley attends the North Branch ECFE program.

★ GOVERNMENT

State budget cuts

State government functions will be cut nearly \$39 million, under a plan approved March 13 by the House State Government Finance Committee.

The cuts came in the form of a delete-all amendment to HF3270, sponsored by Rep. Phil Krinkie (R-Shoreview). That bill originally dealt with only abolishing the Department of Employee Relations.

The bill now travels to the House Ways and Means Committee, where it will be heard March 15, said Rep. Dave Bishop (R-Rochester), the committee chair.

Under the plan general fund reductions total nearly \$14.82 million.

Included in that number is an additional reduction of nearly \$4.65 million from the Legislature's base: \$2.12 million from the House, \$1.64 million from the Senate, \$509,000 from the Legislative Coordinating Commission, and \$383,000 from the legislative auditor. The cuts bring the legislative base to a total 10 percent reduction between the two budget reduction phases.

Additionally, \$6.22 million in legislative carry forward dollars are now being sent to the general fund.

The third element of general fund cuts would come from seven different sources:

- \$2 million from an executive branch reorganization by creating eight secretary

positions to oversee the 27 state departments, instead of each department having a commissioner. That would allow a consolidation of executive level and service positions under the eight secretaries.

- \$500,000 reduction to the Minnesota Amateur Sports Commission, money to be used to fulfill a statute providing for amateur sports activities at Target Center;
- \$470,000 from the attorney general's office via the ending of partnership agreements with agencies;
- \$389,000 from the State Arts Board;
- \$209,000 from the Minnesota Humanities Commission;
- \$200,000 from the Office of Technology; and
- \$175,000 from the secretary of state's office, with the stipulation that cannot be from revenue producing programs or elections.

Furthermore the bill moves \$24.1 million in non-general fund transfers, including \$2 million from the building code fund surplus and \$400,000 from the Minnesota Conservation Fund account. The remaining \$1.7 million out of the total \$3 million in the auto theft prevention fund would also be transferred to the general fund.

The largest chunk in this area was \$20 million in general reductions, including a state hiring freeze, and a moratorium on consultant contracts.

The bill would also establish \$26.92 million in cuts for the 2004-05 biennium, \$22.72 million of which are general fund reductions.

Public TV request returns

Following the 2001 special session, Gov. Jesse Ventura signed a bill that allocated \$7.8 million to public television through grants for digital conversion. He later advised the commissioner of administration to not sign an agreement with the Minnesota Public Television Association, upon which the money was contingent.

The Legislature has again passed a bill to fund the same request so public television does not go dark. The vote was 114-14 on March 14.

"Digital television conversion is not a core function of state government," wrote Steven Bosacker, the governor's chief of staff, in a letter to the commissioner.

But Rep. Dave Bishop (R-Rochester), sponsor of HF197, said he puts public television at a higher priority than the governor, noting it offers "a great deal of educational programs."

A federal mandate requires that all public television stations convert from an analog signal to digital by May 2003. The federal government will pay 45 percent of the cost only if the state pays 45 percent, leaving the remaining 10 percent to individual stations.

In order to stick to budget targets, Bishop's plan takes \$7.8 million for the conversion from the appropriation to construct bus garages on Snelling Avenue in St. Paul. That money is contained in the House bonding proposal.

The \$7.8 million is just enough for Minnesota's stations to meet the mandate and stay on the air, said Bill Strusinski, executive director of Minnesota Public Television Association. But he said he would be back next year asking for \$14 million more.

Strusinski testified at the March 12 meeting of the House Capital Investment Committee.

"Why (does it have) to be our dollars and not your own dollars?" asked Rep. Tom Osthoff (DFL-St. Paul).

Strusinski said public television is "not flush with money," and the request is for less than what other states are paying.

The Senate version of the bill (SF107), sponsored by Sen. Keith Langseth (DFL-Glyndon), was passed by that body by a 62-4 vote on Feb. 18.

State treasurer's office

In 1998 Minnesota voters approved the elimination of the state treasurer position, effective Jan. 6, 2003.

Now, one representative is trying to keep the position intact.

The House State Government Finance Committee approved HF2761, sponsored by Rep. Sondra Erickson (R-Princeton), March 13. It now goes to the House Ways and Means Committee.

Erickson's bill creates an office of the state treasurer. The treasurer would be appointed by the governor, just like commissioners of other agencies. Previously, the state treasurer has been an elected position.

"I'm not convinced we did the right thing in eliminating the treasurer's position," Erickson said. "I believe we still need the treasurer as a watchdog."

The language is also included in the committee's second budget reduction bill, HF3270, sponsored by Rep. Philip Krinkie (R-Shoreview).

"We often take bills that might be in a conference committee and include them," she said.

Erickson said the bill is unique because it has no true Senate companion.

One Senate measure (SF891) sponsored by Sen. Ann Rest (DFL-New Hope) would transfer duties of the state treasurer to the state auditor, but that bill was withdrawn and a different bill (SF2963) was introduced. That bill, which transfers the duties to the Department of Finance, passed the Senate 54-8 on March 8.

The committee adopted an amendment that would leave the treasurer on the state's Investment Advisory Council. An amendment that removes the treasurer from the line of gubernatorial succession was also adopted.

★ HEALTH

Bioterrorism plan

A House plan designed to improve the state's ability to respond to a bioterrorism attack cleared the House Health and Human Services Finance Committee March 7.

HF3031 clarifies the governor's emergency powers and outlines the rights of citizens quarantined to prevent the spread of disease.

Sponsored by Rep. Richard Mulder (R-Ivanhoe), the bill's emergency health powers trigger is bioterrorism, defined as "the intentional use or threatened use of a biological agent to harm or endanger members of the public."

The trigger in the Senate version of the bill (SF2669) is more broadly defined as a "public health emergency." Sen. John Hottinger (DFL-Mankato) is sponsoring that bill.

Rep. Thomas Huntley (DFL-Duluth), a bill co-sponsor, said the plan has been "drastically reduced in size," and he said he would work to see that it stay modest in scale during any conference committee negotiations.

"This is just a first step," said Huntley, a professor of biochemistry and molecular biology at the University of Minnesota-Duluth School of Medicine. "We'll be back here next year."

Shortly after the East Coast was shaken by

anthrax attacks in November, Huntley proposed legislation that would grant the state authority to "use and appropriate property as necessary" and destroy contaminated materials to curb the spread of disease.

In its current form, HF3031, among other things, grants the governor authority to declare a national security or peacetime emergency in the state in the event of a bioterrorism attack. The governor would be required to call the Legislature into session and consult with the commissioner of health before issuing the declaration.

The state would have the power to "isolate" individuals infected with communicable diseases from the public and "quarantine" those who have likely been exposed. But they would be entitled to "adequate food, clothing, shelter, and means of communication."

The commissioner of health would also be required to obtain permission from the court before isolating or quarantining an individual or group.

However, if the delay would "significantly jeopardize" the commissioner's ability to prevent spread of the disease, he or she would be allowed to go forward without court approval, but must get it within 72 hours.

An individual quarantined or isolated would also be allowed to request a court hearing.

HF3031 also directs the Department of Health to study other emergency health power issues and report back to the Legislature by Jan. 15, 2003.

The department estimates the study would cost \$114,027, which will be funded by federal bioterrorism preparedness grants.

The rest of the provisions in the bill would sunset July 1, 2005.

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

★ HUMAN SERVICES

Background checks

Counties would not be allowed to set aside a disqualifying criminal record and issue an emergency license to someone seeking work at a facility serving vulnerable adults, under a bill approved March 8 by the House Health and Human Services Finance Committee.

The 89-page bill (HF3166), sponsored by Rep. Jim Abeler (R-Anoka), contains a number of Department of Human Services policy changes. Attorney General Mike Hatch proposed some of the changes in response to an investigative series published by the *Star Tribune* in October 2001.

The series documented that the Department of Human Services had set aside the

criminal records of workers caring for the state's most vulnerable adults that would have otherwise barred them from employment.

Other sections in the bill contain technical modifications to continuing care programs requested by the Department of Human Services.

Under HF3166, the department would be authorized to review records held by a number of agencies, including the Federal Bureau of Investigation, to determine an individual's criminal background.

The department could disqualify an applicant or revoke an employee's license if the individual failed to cooperate with the background screening process.

Volunteers at facilities or group homes that serve vulnerable adults and children would also be subject to a criminal background study if they are not under continuous and direct supervision.

The bill would also permit the human services commissioner to exchange private information about reports of maltreatment with the Department of Corrections. It would require the commissioner to provide the Ombudsman for Mental Health and Retardation with any active and inactive investigative data upon request.

Those disqualified because of a criminal past would be allowed to ask the department to reconsider. Individuals already on the job would be required to have continuous and direct supervision while the department reviews the case.

If someone has a license revoked or suspended at the conclusion of an investigation, he or she would be allowed to request a hearing.

The bill now goes to the House floor.

★ INDUSTRY

Telecommunications changes

The House passed legislation March 7 that would make minor changes to telecommunications laws in the state.

HF3125, sponsored by Rep. Ken Wolf (R-Burnsville), would instruct the commissioner of commerce to contract with a qualified vendor instead of a local consumer group, as is in current law, to provide telecommunication relay services to consumers.

In addition, the bill would change the name of the fund used to pay for the services to more clearly reflect that the funds provide access for communication-impaired people.

The House amended a provision into the bill that would allow, upon local approval, two Alexandria utilities to formalize a relationship.

The bill reads that the city may enter into a joint venture with Runestone Telephone Company and Runestone Electric Association to provide local niche service.

"The services have been a tremendous asset to the Alexandria area," said Rep. George Cassell (R-Alexandria), who moved the amendment. He explained that demand has grown fast for the Internet service niche.

A second amendment failed on a 61-68 vote. Under the provision, long distance phone companies would have been prohibited from charging calls made within school districts. Carried by Rep. Irv Anderson (DFL-Int'l Falls), it would have mostly benefited districts in Greater Minnesota.

Wolf said he strongly opposed the amendment. "This greatly expands the scope of bill."

Rep. Marty Seifert (R-Marshall) pointed out that his district passed a referendum to put a small charge on phone bills to cover long distance calls made within school districts. "Someone has to pay for this," he said.

The bill passed by a 130-0 vote. The Senate version, sponsored by Sen. James Metzen (DFL-South St. Paul), awaits action in that body.

Gas station owner rights

A statute that gives gas station owners additional rights to the land they occupy would become permanent, under a bill passed by the House March 7.

Gas stations are generally operated by franchisees that lease their locations. The law, first passed in 2000, required that the operator of the station be given an opportunity to purchase the property before the franchisor could sell it to a new franchisor.

The provision currently has a sunset date of July 1, 2002. The bill (HF2766), sponsored by Rep. Bill Haas (R-Champlin), passed 130-0.

The controversy between franchisors and franchisees over the amount of flexibility each can retain has kept the law from becoming permanent. But this year, Haas said, no large oil companies came forward to oppose the bill as they had in previous years.

Haas said the franchisees won't lose any money under the bill, and it protects local businesses. For example, Haas said 26 of the 27 Murphy Oil Corporation service stations in Minnesota were recently purchased by individuals who had previously operated them under franchise because of the law.

The bill, sponsored by Sen. John Hottinger (DFL-Mankato), passed the Senate 57-0 on March 14. The bill now goes to the governor.

★ INSURANCE

Glass replacement language

The state's windshield insurance law has continued to evolve over the years. The House passed a bill 129-3 on March 7 that the sponsor said might finally satisfy both repair shops and insurance companies.

HF2570, sponsored by Rep. Ken Wolf (R-Burnsville), would change the current standard by which insurance companies have to pay claims from "competitive price" to "fair and reasonable."

Current law requires insurance companies to pay market price for glass replacement as determined by a survey of costs charged in communities around the state.

Wolf said that insurance payments for auto glass repair should be no different from payments for auto body repair whereby the market should determine the price. He said the bill makes the insurance process for glass replacement similar to the existing process for fender repairs.

"I think we got it to the right place now. I think most people are on board," he said.

According to information provided by American Family Insurance on claims filed between Jan. 1, 2001 and Oct. 31, 2001, the range of the costs was from \$334 to \$1,064. Wolf said that the national average is \$368 and in Minnesota it is \$441.

He said the bill would not give an unfair advantage to large repair shops over smaller ones. "If a shop has to charge \$1,000 for a \$368 repair then they don't deserve to stay in business."

Rep. Karen Clark (DFL-Mpls) said an amendment she offered that was adopted by the House Commerce, Jobs, and Economic Development Policy Committee Feb. 12 may be unconstitutional in the way it is written. It would prohibit insurance companies from recommending a vendor to the insured unless requested by the insured. The language was included to address the issue of "steering," where insurance companies allegedly point consumers to preferred repair shops.

Clark encouraged Wolf to find suitable language to address the concern when the bill goes to conference committee.

Rep. John Tuma (R-Northfield) echoed Clark's concern, saying that the steering provision was essential because of the negative impact the practice has on smaller repair shops.

The bill, sponsored by Sen. James Metzen (DFL-South St. Paul), passed the Senate 63-0 on March 14.

LAW



Fireworks bill progresses

Every year Minnesotans cross state lines to buy firecrackers, sparklers, and other fireworks.

The House Judiciary Finance Committee approved a bill March 7 that would allow those devices to become legal in Minnesota. It now heads for the House Rules and Legislative Administration Committee.

Sponsored by Rep. Mark Holsten (R-Stillwater), HF1543 would allow the sale of fireworks for personal use from May 1 to July 15 and Dec. 1 to Jan. 2 and allow them to be used on private land from July 1-7 and Dec. 25 to Jan. 2. Holsten said 41 other states allow for the sale of fireworks.

Rep. Wes Skoglund (DFL-Mpls), was the leading opponent of the bill during the hearing.

He questioned if this would mean more fireworks being used in the state. Holsten said there would be more safe firework use with this bill, because a provision calls for the state fire marshal to develop and distribute safety information about using fireworks.

Skoglund also expressed concern about the physical well-being of people who misuse the fireworks.

"You're ignoring the human costs in this bill — people losing fingers, getting blinded, or having hearing loss," he said. "This is a step backwards. I don't why we're doing this."

"This will cause more emergency, fire, and police calls — all at a cost," said Bill Strusinski, representing the Minnesota Fire Chief's Association.

The criminal penalty for misusing fireworks would be a misdemeanor under the bill.

The bill, supported by Gov. Jesse Ventura, limits sales to retailers who are licensed by the state fire marshal. Among the criteria for a license are a stand-alone building with no more than 5,000 square feet of selling area, there must be one exit door per every 1,000 square feet of retail space, and the facility must be "equipped with an adequate number of smoke detectors."

However, novelty items, such as snakes, drop pops, smoke devices, and sparklers could be sold by any retailer.

LOCAL GOVERNMENT



One instead of two

Having two asphalt plants within two blocks of each other in a Minneapolis neighborhood doesn't necessarily equate to being twice as good.

The House passed a bill March 7 by a 127-4

ST. PATRICK PIPER



PHOTO BY ANDREW VON BANK

In honor of St. Patrick's Day, Tom Klein, an Irish musician from St. Paul, plays "When Irish Eyes Are Smiling" on the uilleann pipe March 14 in the House chamber. The instrument is an Irish bagpipe with air supplied by a bellows held under and worked by the elbow.

vote that would allow the city of Minneapolis to partner with a private company in building a new single plant.

Sponsored by Rep. Dennis Ozment (R-Rosemount), HF2796 would allow the city to enter into negotiations with the company. He said the public/private partnership would allow for cleaner asphalt production in the future.

Rep. Jim Davnie (DFL-Mpls), whose district is the home to both plants, said the two individual plants are old, inefficient, "a source of pollution, and a concern to the neighbors."

He added that building the new plant on one of the existing sites would reduce air pollution while keeping jobs in the neighborhood.

The bill would allow the joint venture to occur but would require the city to issue a request for proposals to allow competitive bidding for the project.

Officials representing the private company

told the House Local Government and Metropolitan Affairs Committee Feb. 6 that the bill ensures a competitive process so that there is no advantage to any potential bidders, and would likely save 40 percent to 50 percent in asphalt production costs.

The bill requires the joint venture to provide a lower cost and reliable supply of asphalt for a 25-year period when compared to the current city facility.

The bill, sponsored in the Senate by Sen. Linda Higgins (DFL-Mpls), passed the Senate 64-0 on March 14. It now goes to the governor.

Commission growth

The Shakopee Public Utilities Commission will increase in size, under a law signed by Gov. Jesse Ventura March 7.

Sponsored by Rep. Mark Buesgens (R-Jordan) and Sen. Claire Robling (R-Prior Lake), the law changes the commission from three members to five.

Shakopee has seen tremendous growth over the past decade, as has the entire northern Scott County region. Buesgens said the city's population doubled during the last decade and likely will double again by 2010.

The commission is responsible for the management of publicly owned water and electric utilities in the city. Its members serve three-year staggered terms and are appointed by the city council.

The law maintains the staggered terms. One position would expire on April 1, 2004, while the second additional position would expire on April 1, 2005 under the measure.

Taking effect upon local approval, the law will prohibit more than one city council member from serving on the commission.

HF2624*/SF2441/CH226

SAFETY



Checking security installers

Criminal background checks would be required for employees of electronic security system companies, under a bill that received the approval of the House Jobs and Economic Development Committee March 12.

"Once you have access to the codes, you can basically control it," said Rep. Bill Hilty (DFL-Finlayson), sponsor of HF2787.

Owners, company officers, and current and future employees of security systems would have to undergo a Minnesota criminal background check. Background checks would only

be required for licenses that come up for renewal, Hilty said.

The bill, which was also approved by House committees on crime prevention and judiciary finance, will now go to the House Rules and Legislative Administration Committee.

HF2787 would cost \$136,000 in fiscal year 2003, and \$87,000 in each year of the 2004-2005 biennium. The 2003 amount includes funding for system modification, rulemaking, two full-time employees, one new workstation, and hearing costs.

The Bureau of Criminal Apprehension would be permitted to charge security companies for background checks, and the companies would be allowed to pass that cost on to employees or applicants.

An employee found to have a criminal history would have to be discharged and would lose their license under the bill. Failure for a company to conduct background checks would be a misdemeanor.

Installers of fire protection equipment would be exempt from the requirement.

TAXES



Stadium financing plan

People who buy newspapers or magazines could help pay for a new Minnesota Twins ballpark.

So said the House Taxes Committee, which narrowly approved a financing plan March 12 for a new baseball stadium.

The plan is a delete-all amendment to HF2214, sponsored by Rep. Harry Mares (R-White Bear Lake). The bill, which now goes to the House Ways and Means Committee, passed on a 13-11 vote.

Under the amendment, offered by Rep. Dan McElroy (R-Burnsville), at least one-half of funding for the \$340 million stadium would come from the team and other private sources. The team would be responsible for cost overruns.

"My concern is trying to come up with \$170 million to finance privately and fund operating losses until a new park is open," said Twins President Jerry Bell, referring to someone who may be interested in purchasing the team, which is for sale.

The remaining dollars would come from bonds issued by the city housing the facility.

In addition to facility revenues, including an admission ticket tax, bonds would be paid off with hospitality and hotel-motel taxes of up to 5 percent each, a minimum \$2 parking surcharge, and media access fees.

The plan does not include a tax on sports memorabilia or car rentals, two components



Minnesota Vikings Head Coach Mike Tice testifies March 8 before the House Taxes Committee in support of a new stadium to be used by the Vikings and the University of Minnesota football team.

of other proposals.

However, before a city can get in the running for a stadium, it must first win voter approval. The referendum vote would take place June 4. "That way city residents can decide if they want their city in competition for the ballpark," McElroy said.

The plan also calls for a statewide referendum during the Sept. 10 primary election that would impose a sales tax on newspapers and magazines to help pay off the bonds. The sales tax would also be available to provide funding for other sports facilities, such as a football stadium for the Minnesota Vikings and University of Minnesota. The tax would raise an estimated \$25.2 million annually.

McElroy does not want to wait until the Nov. 5 general election because he believes voter turnout will be high for the primary, and Major League Baseball owners could vote to contract the Twins before the general election, as they meet shortly after the World Series ends.

Rep. Ted Winter (DFL-Fulda) expressed concern about taxing smaller, weekly newspapers in Greater Minnesota to help with stadium funding. "I'd rather see user fees," he said.

"There is a myth that a stadium can be built with user fees," said Rep. Ron Abrams (R-Minnetonka), the committee chair. "A lot of people are not going to like certain provisions in this bill, but we must have a financial plan that works."

St. Paul proposals

The Capital City would become home to the Minnesota Twins, under two proposals heard by the House Taxes Committee March 7.

The committee held three hearings March 6 through March 8 on various stadium proposals. The committee compiled one stadium proposal March 12, including some of the concepts in the St. Paul proposals.

HF2789, sponsored by Rep. Tom Osthoff (DFL-St. Paul), would allow the city to impose a 3-percent citywide tax on retail sales of liquor, entertainment, and food. The city would also be authorized to impose a \$1 per ticket tax on events held in the stadium.

The state's contribution would be the issuance of bonds to finance the construction of the ballpark.

"The people of St. Paul are behind this bill," Osthoff said.

St. Paul Mayor Randy Kelly said a stadium is a good investment because having 81 games with 2 million to 3 million fans coming downtown would add vitality and activity in the city.

The St. Paul City Council passed a unanimous resolution in support of the stadium proposal. Council President Dan Bostrom said the resolution includes putting a question on the September primary ballot asking for voter support of the proposed sales tax.

Jaye Rykuny, representing the Hotel and Restaurant Employees Local 17, said the union supports the proposal. She said the estimated payroll for the union members working at the ballpark would be around \$8 million per year. She added that around 400 part- and full-time jobs were created by the Xcel Energy Center.

Another St. Paul proposal (HF3433) before the committee would create a baseball park district surrounding the stadium. The idea, sponsored by Rep. Michael Paymar (DFL-St. Paul), would include development of mixed-income housing — including a percentage deemed affordable housing — restaurants, bars, and shops.

"Unlike the ill-conceived Metrodome where a stadium was simply plunked down, this concept ties a stadium to a broader vision — a place where people live, and a place where people shop," Paymar said.

The plan calls for the state to issue \$125 million in revenue bonds. The city would repay the bonds through several city taxes and other

A comparison of stadium bills considered

Bill and sponsor	Type	Tax changes	Financing	Other requirements
HF2214 Mares	Baseball now (\$340 million)**	ticket tax, 5% hospitality and hotel/motel tax for the local community, sales tax on newspapers and magazines subject to statewide referendum	\$2 parking surcharge, media access fees, city-issued revenue bonds local voter referendum for stadium	team held to 30-year lease with no escape clause
HF2513 Mares	Baseball	Up to 3% liquor, entertainment, and food tax	Met Council issued revenue bonds 49% of team owned locally;	Tax subject to referendum, team held to 30-year lease with no escape clause, rent, ticket, and other lease requirements.
HF2789 Osthoff	Baseball in St. Paul	3% liquor, entertainment, and food tax in St. Paul; stadium ticket tax	State GO* bonds	
HF3433 Paymar	Baseball in St. Paul	Stadium sales tax, ticket tax, parking surcharge; 13% tax on metropolitan area sports memorabilia purchases	Revenue bonds	team held to 30-year lease with no escape clause
HF3659 Gray	Baseball in Mpls. (\$370 million)**	2% food and alcohol tax in downtown Mpls.; 1% lodging tax citywide; 6% tax on vehicle rentals in Hennepin County; ticket surcharge; sales tax on Twins memorabilia and merchandise	Revenue or GO* bonds from Hennepin County and Mpls.	team held to 20-year lease with no escape clause
HF3658 Goodno	Football in Mpls. (\$440 million)**	Tax on wholesale sports memorabilia purchases	Game-day parking surcharge; naming rights to stadium; \$2.1 million from the state lottery	team held to 30-year lease with no escape clause

*General obligation bonds backed by the state's taxing powers.

**Not all proposals list a total stadium cost.

revenue sources, including an additional sales tax at the stadium, a ticket tax, a \$2 per vehicle parking surcharge, and a 13-percent metropolitan area tax on professional sports memorabilia.

Minneapolis stadium plan

The House Taxes Committee heard a proposal March 8 that would keep the Minnesota Twins in Minneapolis with a \$370 million roof-ready ballpark near the city's entertainment district.

The bill requires public financing of up to \$205 million under the bill (HF3659), sponsored by Rep. Gregory Gray (DFL-Mpls). The Twins would be required to contribute \$125 million with an additional \$50 million coming from other private sources.

So far, the bill does not seek any state funding for the stadium.

The Hennepin County Board estimates using \$185 million in bonds, and the contribution for city of Minneapolis is capped at a \$10 million.

"There is sizeable support at all levels for having the Twins stadium in Minneapolis," Gray said.

The bill would require that the bonds be paid

off with a 2-percent tax on food and alcohol sold in restaurants in the downtown taxing area, a 1-percent citywide lodging tax, a 6-percent countywide tax on motor vehicle rentals, and a surcharge on ticket sales at the ballpark. In addition taxes on ticket sales at the ballpark, income taxes from the ballplayers and a sales tax on Twins memorabilia, clothing, and novelties would also go to repay the bonds.

The bill does not specify what kind of bonds — either general obligation or revenue-based bonds — must be used. In fact, the final plan can include a combination of both, as well.

Rep. Ron Abrams (R-Minnetonka), the committee chair, said that the use of the term "user fees" to finance the park should be clarified. Abrams said he was not speaking specifically to the Minneapolis proposal but that sales tax on restaurants and bars would also be paid by patrons not attending baseball games.

"The 25 members of this committee and the 134 members of the House can handle the truth," Abrams said.

Mike Opat, chair of the Hennepin County board, agreed the term should be used carefully but that the amount of people the stadium would bring into the area would greatly benefit the businesses in the district.

Of all the proposed sites for a new stadium, Minneapolis Mayor R.T. Rybak said the location near the city's garbage burning plant was the most responsible use of public funding since the existing infrastructure would allow easy access in and out of the area.

During his city's testimony, St. Paul Mayor Randy Kelly questioned putting an outdoor park near the garbage facility. Opat said electricity generated at the plant could serve the ballpark. Adding that the issues of parking and access should not be dismissed either, he said that getting to the Xcel Energy Center in St. Paul is easier by riverboat than by automobile.

Sam Grabarski, president of the Minneapolis Downtown Council, said that there are 167,000 downtown workers and that 70 percent attend Twins baseball games at least once per year.

Concepts, though not specifics, in the bill were included in the stadium package approved by the committee March 12.

Football plans

A \$440 million retractable roof football stadium built on the University of Minnesota campus would provide a home for the Gophers and Minnesota Vikings, under a bill heard by the

House Taxes Committee March 8.

HF3658, sponsored by Rep. Kevin Goodno (R-Moorhead), would create a sports facilities account that could fund not only a football stadium, but also a baseball park and improvements to existing facilities.

Revenue sources for the account, under the bill, must include a combination of the following: a tax on wholesale purchases of sports memorabilia, \$2.1 million annually from the state lottery, a surcharge on game day parking, and naming rights for the new stadium.

Goodno, who chaired the stadium task force during the interim, said the bill incorporates many of the group's recommendations.

Mike Kelly, executive vice president of the Vikings, said that if the state is going to help build a football facility, now is the time. The bill would incorporate a \$51.5 million loan from the National Football League. Kelly said it is likely that loan program will not be continued past next year.

The bill also requires the Vikings to contribute \$100 million and the University to provide the land for the stadium and a 4,000-space parking ramp.

Kelly said the Vikings are nearing a financial crisis and that the Metrodome is no longer an NFL-caliber stadium. The team ranked 26th in total local revenues last season and will rank 31st by 2004.

The popularity of the sport remains high, Kelly said. Viking games are the highest rated television show in the market, according to the Nielsen Ratings, and the team is second to the Green Bay Packers in local market ratings.

Rep. Bob Milbert (DFL-South St. Paul) said that sports add to the quality of life around the area. He said that he supports the approach of creating a facilities dedicated account because it would help address not only the needs of the Vikings and Gophers, but the Twins as well.

The plan was not included in the bill approved by the committee March 12.

Change-up in plans

Minnesota Twins President Jerry Bell said the team's 2001 proposal for a stadium was for the team to pay for one-third of the cost, a local unit of government where the park was to be located to pay for one-third, and the state to provide one-third through an interest free loan.

Bell told the House Taxes Committee March 8 that HF2513, sponsored by Rep. Harry Mares (R-White Bear Lake), has been amended so that little remains of what the team initially envisioned.

As it is currently drafted, the bill would authorize the Metropolitan Council to issue an unspecified amount of revenue bonds after a

local unit of government enters into an agreement with the Twins for a roof-ready ballpark that is owned by the local government.

Mares said the bill would require that the team use the park for 30 years without an escape clause. It also would authorize the local unit of government to impose a local liquor, entertainment, and food tax of up to 3 percent, subject to a referendum.

Under the bill, the team owner must work with the governor, the chair of the Met Council, and a community foundation to transfer 49 percent of the team to the foundation to ensure that the team remains in Minnesota.

Committee members questioned whether public funds should be provided without a requirement that the game itself adopt reforms to address the ability of smaller market teams to compete.

"This industry is in a death spiral," Rep. Philip Krinkie (R-Shoreview) said, pointing out much of the revenue the team is seeking with a new stadium, such as revenue generated by the naming rights, will instead go to the costs of paying off the bonds issued, under the plan.

Rep. Tim Wilkin (R-Eagan) said the bill doesn't address the real problem — the imbalance in player salaries among large market teams, such as the New York Yankees, and small market teams like the Twins. He said that many teams with newer ballparks lost money last season.

Bell said that Minnesota is a midsize market, not a small one as it is often referred to, and that baseball owners are unified in their resolve that the game adopt "substantial" revenue sharing between teams.

Portions of this bill, including no escape from the lease, were included in the final bill approved by the committee March 12.

Public sentiment

After devoting three days of hearings to discuss various stadium financing proposals for the Minnesota Twins, Vikings, and Gophers, the House Taxes Committee heard from members of the public March 8.

Patrick Hill, representing Financial Accountability for New Stadiums, said the current condition of Major League Baseball is "so fundamentally flawed" that a new stadium will do little to help the Twins.

He pointed to findings from the league's own Blue Ribbon Panel on Baseball Economics that said seven of the teams that had new publicly funded stadiums built in the 1990s still have financial woes.

Hill said threats of contracting the Twins created an "artificial crisis" to hold taxpayers hostage in the use of public funds to build a stadium.

"Somebody in this country has to stand up to the greed of major league sports and say no," he said.

Martha Easton, a political sociologist representing Progressive Minnesota, spoke against a discussed provision that would require any local referendum be held in June.

She said that holding a vote on stadium funding would not allow the proper time for adequate discussion of the issue. She said special elections have traditionally low voter turnout and the stadium issue would likely lead to the spending of large amounts of money to sway opinions on an issue involving a corporate entity.

She said she prefers the question be put to voters in the November general election.

Joe Marble, representing Citizens United for Baseball, helped last fall in the effort to gather petition signatures to present to Baseball Commissioner Bud Selig in support of the team and against contraction. He said he was surprised at how many people in North Dakota and South Dakota were fans of the team.

"The Twins are an asset to the entire Midwest region," Marble said.

He spoke against any local referendum requirement saying that one city should not be able to decide the fate of a regional asset.

TRANSPORTATION



Possible gas tax increase

A House committee has abandoned a plan to increase the state's gas tax by a fixed rate in favor of a plan that would allow for yearly increases as needed.

Committee Chair Rep. Carol Molnau (R-Cologne) presented HF3364 to the House Transportation Finance Committee March 8. The amended bill is the result of a delete-all amendment that incorporated the intent of HF2680, sponsored by Rep. Bernie Lieder (DFL-Crookston).

The bill, now sponsored by Rep. William Kuisle (R-Rochester), would allow the commissioner of revenue to increase the tax on gasoline and other fuels yearly as needed to pay off \$1.25 billion in bonds issued by the state between 2003 and 2012.

It also sets up a major project account where the new tax money would go. The plan would not affect the 20 cents per gallon tax that is currently collected.

The bill specifies that in fiscal year 2003, the new revenue be split three ways with one-third going to highway improvements in at-risk interregional corridors that are primarily outside the Twin Cities metropolitan area. The remaining two-thirds must go to removing bottlenecks and improving highway safety and capacity, under the bill.

After 2003, 95 percent would be evenly split between interregional corridors outside the Twin Cities metropolitan area and bottleneck reduction within the metro area. The remaining 5 percent would be designated for “trunk highway-related advantages to transit” statewide.

But defining “advantage to transit” created some debate. Several legislators said that the wording needs to be more clear in the bill before it reaches the House floor. No firm definition of the phrase was given in committee.

The bill would also create an exemption to a ban on entering into new consultant contracts. That provision is part of the omnibus budget balancing agreement that became law March 1 after the Legislature overrode Gov. Jesse Ventura’s veto.

The exception would allow the state Department of Transportation to continue to hire contractors to finish road construction projects, Molnau said.

The bill now moves to the House Capital Investment Committee.

Overweight fees

The House passed a bill March 7 that would limit how much truck drivers can be charged for hauling too much weight.

The vote was 94-36.

Rep. Mike Osskopp (R-Lake City), the sponsor of HF2884*/SF2715, said he brought the bill on behalf of a constituent who makes about \$450 a week but was fined \$46,000 after his milk truck was found to be overweight.

Current law allows law enforcement to fine drivers for an overweight violation but also allows fines to be assessed based on records from the previous 30 days.

STATE CHAMPS



PHOTO BY ANDREW VON BANK

Rep. Bob Milbert reads a resolution in the House chamber March 11 honoring the 2002 state girls hockey champions from South St. Paul High School.

The bill limits the fine for violations to \$10,000 and only allows law enforcement to assess fines up to 14 days prior to the violation.

It also allows shippers to throw out shipping records after 14 days. Current law requires shippers to keep records for 30 days.

Osskopp said the bill would make the punishment more fitting to the crime.

Rep. Richard Mulder (R-Ivanhoe) offered a successful amendment on the House floor that would double the usual overweight fines for truck drivers who intentionally evade weigh stations.

Overweight trucks can damage roads and cost the state large amounts of money.

During a Feb. 14 hearing in the House Transportation Policy Committee, Rep. Torrey

Westrom (R-Elbow Lake) said the bill may not help much since many truck drivers couldn’t afford a \$10,000 fine any more than a \$40,000 fine.

If the goal of the fine is to compensate for damage done to roads the fine should be \$5 million, he said.

The fine is also unique since police are usually not able to fine people for violations committed in the past, he added.

“We don’t have other laws where police can just send you a ticket for what you did 29 days ago,” Westrom said.

The bill passed the Senate 63-0 on March 14. It now goes to the governor. Sen. Steve Murphy (DFL-Red Wing) sponsored the Senate version.



Learn not to burn

Students ignite spark for legislation to raise safety awareness

First grade students at Nathaniel Morton Elementary School in Plymouth, Mass., were so touched by a December 1999 fire that claimed the lives of six firefighters they decided the state should do something to honor the victims.

The cause of the Worcester, Mass., fire was the misuse of a candle, and thus, the students worked with their state representative to bring attention to the need for candle safety awareness. In the 2000 session, Massachusetts’ lawmakers passed a bill establishing the second Monday in December as “Candle Safety Awareness Day.” The governor signed it into law.

According to the National Fire Protection Association, candles cause close to 10,000 home fires

each year, 85 percent of which are due to misuse. Such blazes kill about 120 people nationwide annually and result in \$145 million in damage.

The goal of Massachusetts’ Candle Safety Awareness Day is to educate people on how to prevent candle fires from expanding beyond the wick. Leading causes of the fires include leaving candles unattended or inadequately controlled, placing candles near combustible materials, and children playing with candles.

Nationwide misuse of candles isn’t the only safety issue. In 2001, the Consumer Product Safety Commission banned the use of lead candlewicks citing concerns with the amount of toxic emissions emitted from candles made

with metal wicks (many of them manufactured for the booming aromatherapy industry).

American candle makers agreed to stop using lead wicks in 1974 but the \$3.2 billion industry includes much importing of candles from other countries, many of which don’t regulate the use of lead in wicks.

Although few regulations exist for candle makers both domestically and abroad, the history of such regulation goes back to the Middle Ages. For example, English law of 1381 required makers and sellers of candles to assure the quality of their product or face penalties including exile from the country.

(D. MAEDA)

Slicing some more

Health and human services programs take another cut as lawmakers work to balance the state budget

By SARAH MCKENZIE

A plan to cut an additional \$61.6 million in health and human services spending passed the House 72-60 on March 14 as part of a Republican plan to shore up the remaining \$439 million budget deficit for the current biennium.

The Legislature previously approved \$95.9 million in health and human services spending cuts to help address a projected \$1.95 billion deficit for the current biennium.

The plan would also transfer \$325 million from the Tobacco Prevention Endowment to the general fund, a move criticized by House DFLers for reducing spending on teen smoking prevention.

Republicans argued the move is necessary to spare programs from deeper cuts. It would reduce statewide tobacco prevention grants from \$17.8 million a year to \$2.3 million, but maintain \$4.4 million in grants for local efforts.

House members defeated a number of DFL amendments offered on the floor, including a plan to take \$245 million from the trunk highway fund in place of the Republican plan to drain down the tobacco fund. A measure to require public places to have barriers or ventilation systems to reduce second-hand smoke in non-smoking areas was also defeated.

"This bill goes after our most needy citizens and balances the budget on their backs," said Rep. Thomas Huntley (DFL-Duluth).

Republicans, however, countered that although the plan would affect the state's most "vulnerable citizens," the bill is a responsible response to the state's looming budget shortfall. Further, they criticized the House DFL caucus for failing to come forward with an alternative plan.

The bill is the largest piece of the second phase of budget reductions proposed by the House to balance the state's budget. Several other bills traveling through the House provide further reductions to other parts of state government.

Rep. Kevin Goodno (R-Moorhead), the House Health and Human Services Finance Committee chair and bill sponsor, said that

since "education has been taken off the table" for spending reductions, health and human services programs had to take a larger hit.

The bill cleared the House Health and Human Services Finance Committee and Ways and Means Committee earlier in the week, along with two abortion-related amendments offered by Rep. Mary Ellen Otremba (DFL-Long Prairie).

One measure would require women to receive information about the procedure at least 24 hours before the scheduled abortion. The other would prohibit groups from receiving state family planning grants if they refer

In committee, Rep. Betty Folliard (DFL-Hopkins) criticized House Republicans for proceeding with a "stealth bill," arguing the majority's approach left minority members with little time to propose amendments.

Goodno and other Republican members challenged Folliard's criticism by noting the committee provided the public and House members with ample opportunity to come up with alternative solutions.

"We listened to 77 witnesses during 10 hours of testimony to find the best way to protect seniors, people with disabilities, and current coverage for children," Goodno said.

Under the plan, the \$61.6 million target in spending cuts would be met by the following, among other things:

- limiting use of the state's General Assistance and Emergency General Assistance programs, saving \$696,000 in 2003 and about \$16 million in the 2004-05 biennium;
- reducing state special family planning grants



PHOTO BY ANDREW VON BANK

Members of the House Health and Human Services Finance Committee debate an abortion amendment at the March 12 committee meeting.

patients for abortions.

A motion to remove the "informed consent" section of the bill failed in the House Ways and Means Committee. A similar amendment to strike the abortion language from the bill failed on the House floor on a 48-84 vote.

The budget plan would also restore \$17.2 million in county funding for Temporary Assistance for Needy Families (TANF), which was cut earlier. The University of Minnesota would also receive \$350,000 to continue the "U Special Kids" program for children with severe medical problems.

by 25 percent, saving \$1.1 million in 2003;

- repealing a plan to cover more children with the state's Medical Assistance health plan program, dubbed "Cover All Kids," saving \$13.8 million this biennium and \$66.26 million in 2004-05; and
- consolidating the General Assistance Medical Care program into MinnesotaCare, the state's subsidized health care plan, resulting in net savings of \$37.3 million.

The "Cover All Kids" program was the governor's initiative passed by the Legislature during the 2001 special session.

The General Assistance program serves more than 23,000 low income Minnesotans without children who don't qualify for other state or federal programs. Those enrolled don't pay premiums like those on MinnesotaCare.

Folliard and Huntley objected to the consolidation and said it would shift costs to counties and hospitals.

Huntley predicted state hospitals would lose money because MinnesotaCare caps hospital treatment coverage at \$10,000 per year.

Under the plan that cap would be waived for individuals meeting the federal poverty guideline, meaning they earn a minimum of \$8,860 a year.

Under the proposed consolidation, children, senior citizens over 65 and patients at institutes for mental disease would be able to keep their General Assistance benefits.

Rep. Luanne Koskinen (DFL-Coon Rapids) criticized the plan for shifting the cost of state welfare programs to counties. She also predicted the cuts would lengthen waiting lists at state regional treatment centers.

Rep. Jim Abeler (R-Anoka) challenged

criticism of the agreement, saying the committee took great pains to spare senior citizens, the working poor, and others served by state programs.

He also applauded efforts to safeguard a prescription drug program for the disabled.

"We have a \$2.4 billion shortfall and it's painful," Abeler said. "This is not a perfect plan, but it's a plan."

Folliard sharply criticized the abortion amendments, calling the "informed consent" measure a "women are stupid" bill.

Rep. Lynda Boudreau (R-Faribault) said most women in her district support the measure and said she was offended by Folliard's description.

Otremba said some abortion providers don't provide women with adequate information.

"This bill empowers women," she said.

In the Ways and Means Committee, members suggested that the abortion provisions mark the bill for sure veto, because the governor does not support the plan.

Because the abortion amendments are policy provisions in the finance bill, the

governor would be required to veto the entire bill in order to veto the provisions. He vetoed the same measure in 2001.

Besides the contentious abortion provisions, the Health and Human Services Finance Committee wrestled over the proposal to transfer more than \$300 million from the Tobacco Prevention Endowment to the general fund.

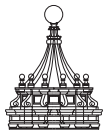
Huntley said state-funded prevention programs targeting teen smoking have had "remarkable success" and have already yielded results.

He unsuccessfully offered an amendment to strike the provision in the bill that transfers money from the Tobacco Prevention Endowment and a provision barring the Department of Health from adopting rules related to the Clean Indoor Air Act without legislative approval.

Rep. Fran Bradley (R-Rochester) said it's too early to measure the success of the programs and tie them to lower teen smoking rates. He said the lower smoking rates are more likely the result of increases in the cost of cigarettes.

Health and human services budget reductions as part of the second phase of the House budget-balancing plan

- Shifts budget reserves from State Operated Services accounts to the general fund, saving \$7.75 million in fiscal year 2003 and \$5 million the next biennium;
- Limits eligibility for General Assistance payments to six months in two years instead of one year, saving an estimated \$696,000 this biennium;
- Limits use of Emergency General Assistance, a cash assistance program for low income people, to once every 18 months instead of a year, saving an estimated \$3.2 million in the 2004-05 biennium;
- Reduces family planning special project grants by 25 percent, trimming \$1.1 million from the deficit this biennium;
- Transfers extra money from a chemical dependency treatment fund to the general fund, resulting in a \$6.6 million savings in fiscal year 2003;
- Eliminates an automatic 24-month extension for those enrolled in the Minnesota Family Investment Program (MFIP) that wish to count education and training toward an employment plan, saving \$460,000 this biennium;
- Raises the income limit for families on MFIP to 120 percent of federal poverty guidelines (\$21,180 for a family of four) from 117 percent (\$20,651 for a family of four), trimming \$302,000 from the deficit this biennium;
- Consolidates the General Assistance Medical Care program into MinnesotaCare, saving an estimated \$37 million this biennium; and
- Repeals the "Cover All Kids" initiative, which was set to take effect July 1. It would have expanded the number of children covered by the state's Medical Assistance program. Repealing the program would save the state \$13.8 million in 2003 and \$66.3 million in the next biennium.



NOTES

Former member passes away

Former Rep. Carolyn Rodriguez (DFL-Apple Valley) died March 7 of bone cancer. She was 58.

Rodriguez represented District 53A from 1981 to 1982 and 37A from 1983 to 1984.

(Redistricting occurred between Rodriguez's two terms.) During her time in the House, she served on the Commerce/Economic Development, Education, Local/Urban Affairs, and Transportation committees. During her second term, she was the vice chair of the House Education Committee.

After leaving the House, Rodriguez continued her involvement in a number organizations, including several legislative commissions, business and political

caucuses, the Regional Transit Board Advisory Committee, and the Minnesota Ethical Practices Board.

Rodriguez is survived by her husband, Jesus Rodriguez Domingo of Apple Valley; her son Roberto Andres Rodriguez Deshon of Edina; her father, Dr. George Deshon of California and his wife Viva; her twin brother, George Deshon, Jr., of Hawaii; and her sister Susan Deshon of Oregon.

Cross-checking evidence

Plan would expand collection and number of DNA samples in the state's database

By LISA HILTON

On Nov. 17, 1991, the body of Jean Broderick was found bound and gagged in the woman's Minneapolis home.

After an analysis of DNA evidence recovered from the crime scene, Martin Estrada Perez was charged with rape and first-degree murder in connection with her death. Based on the strength of that DNA evidence, Perez was sentenced in 1993 to life in prison without parole.

Although the scenario is common enough today, the case marked the first time in the United States that anyone had been identified based on a DNA sample that matched one contained in a database.

The identification of Perez as a suspect was the result of a law enacted in 1990 that required law enforcement officials to collect DNA samples from sex offenders convicted of first- through fourth-degree criminal sexual conduct.

Since Perez had previously been convicted of rape, his DNA was in the state database and was successfully matched to DNA from the crime scene.

Minnesota has since had 43 other "cold hits," when a suspect is identified through DNA matches from the database.

In fact, DNA collection proved so successful in solving crimes that the 1999 Legislature expanded the law to include samples from persons convicted of other violent crimes against people, such as murder, manslaughter, assault, robbery, kidnapping, first-degree burglary, and incest.

The law was again expanded during the 2001 special session to require specimens from those convicted of fifth-degree sexual conduct, as well as those incarcerated for any offense who have been convicted of a qualifying offense in the past.

And the database may soon expand again.

A provision in the House anti-terrorism package would require law enforcement to collect DNA samples from all felons. The samples would then be sent to the Bureau of Criminal Apprehension (BCA) lab to be retained until the

Legislature approves funding for analysis, said Rep. Rich Stanek (R-Maple Grove), the sponsor of the plan (HF2622).

The bill awaits action in the House Ways and Means Committee.

The plan would allow the state to expand the database without spending additional money on analysis at a time when the Legislature is struggling to balance the budget, he

last year are expected to bump that number up to 4,000.

The latest change will send the number of DNA sample submissions soaring to 21,000 a year, Stanek said.

That much of an increase will require about eight additional staff members to analyze the samples, Dolejsi said.

According to the BCA, analyzing samples from every felon would cost the state about \$2.2 million the first year, and \$1.4 million for every subsequent year.

Each sample costs the state about \$50 to analyze, and costs local law enforcement agencies between \$20 to \$50 to collect.

Although increasing the database is expensive, it will save money in the long run since it

"Having these DNA databases does solve crimes. It saves law enforcement and society in general a lot of money and gets these people off the street."

— Frank Dolejsi, director,
Bureau of Criminal Apprehension
Forensic Science Laboratory

said. "Why should we lose a year's worth of samples?"

Stanek said he anticipates the Legislature will approve funding for analysis of the samples next year when it sets the budget for the 2004-2005 biennium.

The timing also makes sense because a new BCA building in St. Paul is slated to open next spring, Stanek said. The building was designed to accommodate the increase in database samples.

In a report provided to the 2002 Legislature, Frank Dolejsi, director of the bureau's Forensic Science Laboratory, encouraged the Legislature to make the change.

"Having these DNA databases does solve crimes," he told members of the House and Senate crime prevention committees during a joint meeting earlier this session. "It saves law enforcement and society in general a lot of money and gets these people off the street."


But those collections should not be mandated unless the state is willing to put some money into the project, Dolejsi said.

Between 1990 and 2000, the state collected about 1,000 samples a year. The change made two years ago resulted in sample submissions jumping to 3,000 annually, and changes made

reduces investigation costs, Dolejsi said.

Ten states now require DNA samples for all felony convictions, and Colorado is scheduled to begin the practice March 31. Texas has also approved a similar law but did not set an effective date.

Minnesota's database is also linked to the Federal Bureau of Investigation's National DNA Index system, allowing states to cooperate in apprehending criminals. In 1997, Minnesota became the first state to have a "cold hit" using the national database. That database contains almost 800,000 known DNA samples.

Dolejsi cited Florida as an example of how expanding the law could help solve crime. In May 2000, the state began collecting samples from offenders convicted of all levels of burglary. As of February 2001, Florida had 357 matches to their database compared to Minnesota's 34. 

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Unemployment extension

Committee awards Farmland workers 52 weeks, denies other requests

BY THERESA STAHL

In a year of decreased spending, the House Jobs and Economic Development Finance Committee has only considered funding the extension of unemployment benefits.

Several companies were turned away March 8 when the committee, in its omnibus bill (HF3648), decided to grant extra benefits for Farmland Food Company workers. It is the only proposal that meets the governor's requirements, which include either a declaration of bankruptcy or shutdown of operations and that the company be located in a rural area.

Those denied were Fingerhut Corporation, Inc., airline and related industries, and the 3M plant located on St. Paul's east side.

Workers who qualify for full unemployment benefits from the state can be paid a percentage of their salary for up to 26 weeks.

Committee Chair Rep. Dan McElroy (R-Burnsville), sponsor of the bill, said he was concerned about expanding unemployment benefits too much.

"Every penny comes from businesses and every penny comes in the form of higher prices or lower wages," he said.

Under the bill, Farmland's former employees would receive a maximum 52 weeks of unemployment benefits to collect within two years, provided the applicant is enrolled in a training program.

Farmland won the committee's approval because of its particular situation. The company's Albert Lea plant, which burned in July 2001, never reopened, forcing 425 people to be laid off. About 200 of those workers are still unemployed, according to Rep. Dan Dorman (R-Albert Lea), original sponsor of the Farmland proposal (HF2636).

Unlike the Twin Cities metropolitan area, Albert Lea and the surrounding communities do not offer as many resources for finding other employment. Farmland officials are also considering rebuilding the plant, which would

cost \$70 million to \$80 million and take three to four years, according to Bill Avery, a union representative.

"The chances of rebuilding would be diminished" if the workforce left the area, said Rep. Bob Gunther (R-Fairmont). The former plant employees have fewer options than Fingerhut or airline workers, he said.

Like Farmland, Fingerhut has locations in Greater Minnesota. However, McElroy said the state has never before granted an extension of benefits before a layoff occurred. Currently, the company has not declared bankruptcy and may not be completely closed.

Rep. Joe Opatz (DFL-St. Cloud), sponsor of the Fingerhut legislation, pointed out that 2,000 workers received warning notices in early February saying that they would be laid off in 60 days.

There is uncertainty about what will happen with the company, whether it will close or be consolidated, Opatz said, "but there is no uncertainty about whether there are going to be significant layoffs."

"We're not going to be in session to solve this problem until next January," said Rep. Tony Sertich (DFL-Chisholm). People may be more inclined to stay in Minnesota if they know their benefits will be extended, he said.

Recent federal legislation, however, would benefit Fingerhut workers because it enables people to receive up to 13 additional weeks of

unemployment benefits. That law applies to people who filed for unemployment after March 15, 2001.

That legislation was pending at the time of the committee hearing, and McElroy reasoned that if workers were laid off before June 30, 2002 they would qualify for the federal law, and if they were laid off after that date, their benefits would not run out before the Legislature is back in session in 2003.

The Farmland provision would include any additional weeks granted by the federal government in the 52 weeks of unemployment benefits available.

Another proposal, discussed at the committee's March 7 meeting, would grant extra unemployment benefits to airline workers, as well as employees of related industries, such as travel agencies and companies that provide meals to airlines.

Rep. Dan Larson (DFL-Bloomington), the sponsor of the airline industry measure originally contained in HF2750, said the events of Sept. 11 have "seriously curtailed" those businesses.

The committee did not include Larson's bill in its final omnibus measure.

McElroy said he didn't support the airline provisions because the workers live in the most prosperous area of the state and the same argument could be made for any business in the Twin Cities metropolitan area.

Carolyn Dahm, chair of the legislative committee for a Northwest Airlines union, said it is expensive to be unemployed. "We are not looking for a grandiose lifestyle."

Rep. Michael Paymar (DFL-St. Paul) offered an unsuccessful amendment to the Larson bill that would grant the same extension of unemployment benefits to workers at the 3M St. Paul plant. He said the plant will soon be laying off 500 people.

The cost of the Paymar amendment would be \$4.5 million, which would be billed back to 3M, according to officials at the Department of Economic Security.

"This is a good investment in our workforce," said Rep. Karen Clark (DFL-Mpls). "It's much more difficult to help people out of a homeless situation."

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



PHOTO BY ANDREW VON BANK

At the Minnesota Workforce Center's Midway location, people can file for unemployment benefits online, check for job listings, and post a resume.

Tracking ATVs

Bill would provide for more monitoring of all-terrain vehicles and their effect on forests

By SARAH MCKENZIE

On the heels of news reports showing erosion, wetland damage, and rutting in some northern Minnesota forests stemming from heavy all-terrain vehicle (ATV) use, a House committee is trying to do something about the problem.

A plan funding stepped-up monitoring of ATV use in the state's forests was approved by the House Environment and Natural Resources Finance Committee March 7.

The bill's next stop is the House Rules and Legislative Administration Committee.

HF2970, sponsored by Rep. Tom Hackbarth (R-Cedar), originally called for \$825,000 for monitoring, enforcement activities, and environmental reviews of proposed trails.

The committee, however, approved a delete-all amendment to square the bill with a Senate companion measure (SF3010) that appropriates \$1.2 million in fiscal year 2003 for increased enforcement and monitoring of the recreational vehicles.

The Senate bill, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), awaits a floor vote in that body.

Special accounts funded by user fees would pay for the Department of Natural Resources (DNR) appropriation: \$700,000 from the ATV account, \$460,000 from the off-road vehicle account, and \$55,000 from the off-highway motorcycle account.

Fees are collected under current law, but the bill would provide a specific direction for how the money should be spent.

Dennis Asmussen, director of the DNR Trails and Waterways Division, said the appropriation would bolster the agency's ability to identify environmental problems and confront illegal activities.

The \$1.2 million appropriation would pay for three additional conservation officers dedicated to enforcement. It would also provide for five technicians, nine seasonal workers to help with trail monitoring and maintenance, and an environmental review specialist.

Susan Solterman, public policy director for



PHOTO BY TOM OLMSCHIED

A bill moving through the House would increase the state's ability to monitor all-terrain vehicle use in state forests.

the Minnesota Audubon Society, called the appropriation an important first step.

"Increased enforcement goes a long way," Solterman said.

However, she called on state policy-makers to limit ATV use to designated trails. She noted that states surrounding Minnesota have adopted that policy.

Currently the state allows cross-country all-terrain vehicle travel in 46 of 58 Minnesota forests.

Solterman distributed copies of a *Star Tribune* poll showing that 72 percent of respondents believe ATVs should be allowed only on special trails. The poll included views from 1,027 adults surveyed statewide Feb. 2-6.

The Minnesota Audubon Society pushed for off-highway vehicle regulation during the 2001 session, but bills in the both the House and the Senate stalled.

In a policy statement, the society asserted: "While (off-highway vehicle) riders represent a minority of the users of our public lands, the inappropriate use of these vehicles by some is causing conflicts with other users and serious environmental harm in our forests, parks, and trails."

Members of the committee approved an amendment to HF2970 limiting recreational motor vehicles in state-managed forests to designated trails and roads. Licensed hunters and trappers, however, would be exempt during the harvesting season.

The DNR proposed a similar plan during the 2000 legislative session but it did not become law.

Representing the All-Terrain Vehicle Association of Minnesota, Ray Bohn said users "feel comfortable" with the proposed restrictions. Currently users can ride across any "pristine meadowland," he added.

The association and two other advocacy groups for off-highway vehicles supported the measure that would apply to all-terrain vehicles, dirt bikes, and 4x4 vehicles.

"Our goal as ATVers is to develop a quality trail system, well-maintained and properly enforced, that will provide a good riding experience for those who want to recreate on ATVs," Sonia Bartz, president of the All-Terrain Vehicle Association of Minnesota, wrote in a March 8 statement. "We can accomplish that goal in an environmentally friendly manner and be a good neighbor with the other users of our public lands."

Testifying in support of the amendment, DNR Deputy Commissioner Steve Morse said the plan signals a significant policy change for Minnesota. He called it consistent with the department's view that "cross-country travel is inappropriate in state forests."

The committee vote came a day after the department announced a series of initiatives to curb environmental damage stemming from all-terrain vehicle use, including a plan banning cross-country ATV travel on 25,000 acres in the Finland State Forest and Lake County forest lands.

Additionally, Commissioner Allen Garber announced plans to conduct an environmental review of all-terrain vehicle use in the Spider Lake Recreation Area in Foot Hills State Forest, in north-central Minnesota.

The committee also considered off-road recreational motor vehicle use March 8, approving HF1359, sponsored by Rep. Dennis Ozment (R-Rosemount). It directs the department to designate a minimum of 90 miles of trails for all-terrain vehicles, among other things.

The committee referred the Ozment bill to the House Taxes Committee.

Morse said designating 90 miles of ATV trails would be a challenge for the department.

Rep. Tom Osthoff (DFL-St. Paul) called it a "modest" proposal. He noted that the state has created spaces for a number of other recreational purposes and said it should do the same for all-terrain vehicle riders. 🐾

Vacancy on Summit Avenue

Budget crunch prompts governor to announce closure of official residence, but move may make renovation easier

By LISA HILTON

In light of a recent budget agreement that trims \$175,000 from Gov. Jesse Ventura's \$2.2 million security budget, Ventura has announced he will move out of the Governor's Residence next month to save money.

If he does, it will be the first time a governor has not lived in the Summit Avenue mansion since it was donated to the state in 1965.

The residence has been in the news lately for other reasons as well. Proposals to renovate the approximately 16,000 square-foot building have received support from Ventura and are being considered by the Legislature.

Dan Creed, manager of the residence, said if the first family no longer uses the house, it would likely be abandoned.

"Based on the governor's comments, it would just be locked up," Creed said.

Although crews would still have to take care of basic maintenance, the state could save about \$100,000 in security costs next year. It could also save about \$550,000 annually in operating costs. In addition to Creed, the residence has seven full-time employees.

It would also mean hundreds of schoolchildren and others who tour the house each year would not get a chance to see it. More than 5,000 people each year tour the home's public areas.

Sam Grabarski, chair of the Governor's Residence Council, said it is up to each governor to decide whether to live in the house, but the home should still be maintained as a place to host distinguished guests.

It would reflect poorly on the state to have to put up foreign dignitaries and other distinguished guests in hotels, Grabarski said. High-profile guests such as Eleanor Roosevelt, Al and Tipper Gore, Mikhail Gorbachev, Kevin Garnett, and Jack Nicholson have stayed at the home.

According to state law, the Governor's Residence, "must be

used for official ceremonial functions of the state, and to provide suitable living quarters for the governor."

Although its deed states that the house may have to be torn down if not used by the state, that language has expired due to a sunset clause placed on covenant restrictions to donated property, Grabarski said.

In addition, the house is listed on the National Register of Historic Places and St. Paul's Historic Site Register, which would make it very hard to tear down, he said.

Some lawmakers are looking into whether Ventura is legally entitled to close the house, since it is a publicly owned building, Creed said. "Right now we are waiting and hoping it will be resolved."

Ventura mainly stays at the mansion during the week, Creed said. His son also stays there when he is in town. First Lady Terry Ventura and the couple's daughter usually stay at the family's ranch in Maple Grove, and come to the house for special events or to host guests.

In 1910 St. Paul lumberman Horace Hills Irvine paid about \$7,000 for the 1.5 acres on Summit Avenue and secured a building permit, specifying a cost of \$50,000 for the

20-room English Tudor, which features nine bedrooms and eight baths.

Horace and his wife, Clotilde, lived in the home with their four children until his death in 1947. Clotilde died in 1964 and the surviving Irvine daughters gave the home to the state the following year.

Although the Legislature debated whether the home was a good investment for the state, it approved \$100,000 to renovate and operate the building as the first official governor's residence.

But 36 years later, renovations are again needed, and the state again must decide how much to invest in the house.

The mansion, completed in 1912, is in need of extensive renovation to bring it up to safety code and improve energy efficiency.

The mansion's fire alarm system needs to be upgraded and a second stairway needs to be added for the third floor in order to comply with fire code.

Heating, ventilation, and air conditioning systems need work, windows need to be replaced to improve energy efficiency, and the building's exterior needs conservation work.

Grabarski said Ventura did the brave thing by proposing \$4 million in bonds for the project. No governor has felt politically comfortable proposing the renovations before, he said.

Although the governor may live in the home, it belongs to the citizens, and the Legislature should not shy away from funding renovations for political reasons, Grabarski said. "We encourage the Legislature to think of this as a necessary thing to do for future governors and the people of Minnesota."

The Senate included \$4 million for the project in its bonding recommendation, but the House has included only \$500,000.

If funding proposals were approved this session, renovation would not affect Ventura unless he is re-elected, since work wouldn't begin until next year, Grabarski said.

Creed said Ventura's decision to move out could actually help renovation plans win legislative approval since the governor would not be inconvenienced by the work.

"This may be a good time to get it done," Creed said. 🐼



PHOTO BY ANDREW VON BANK

Gov. Jesse Ventura has said he is moving out of the Governor's Residence in St. Paul because of cuts to his security budget. The state has operated the mansion since 1965.

Tracking new laws, vetoes

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

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

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

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

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

sion, or within three days after the governor receives the bill at any other time.

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
Res. 6	2681*	2469	Resolution supporting personnel responding to Sept. 11 terrorist attacks.	1/31	
Res. 7	3411	3207*	Resolution urging delayed termination of LTV pension plan.	2/27	
219	2698	2655*	Extending physical therapy board authority to adopt licensee ethics rules.	2/27	
220	351*	264	Omnibus budget balancing and appropriations bill.		2/25◆
221	97	58*	Changing terminology in statute of references to mentally ill.	2/27	
222	3049	3019*	Predatory offenders registration requirement expansion.	2/28	
223	1297	1471*	Municipal Board authority transferred to Office of Strategic and Long-Range Planning.	3/5	
224	2642*	2760	Mine inspector annual audit requirement modified.	3/7	
225	3116*	2822	Environment and Natural Resources Trust Fund provisions modified.	3/7	
226	2624*	2441	Shakopee Public Utilities Commission increased from three to five members.	3/7	
227	3148*	3025	Speech-language pathologist and audiologist registration requirements modified.	3/7	
228	2992*	2865	Occupational therapist temporary licensure terms modified.	3/7	
229	3062*	2839	Hennepin and Ramsey counties juvenile court judge term limits repealed.	3/7	
230	2748	2573*	Browns Valley school year start before Labor Day.	3/13	
231	2695*	2531	Mpls. Firefighters Relief Assn. retirement provisions corrections provided.	3/13	
232	58*	389	Beer kegs identification and sales requirements.	3/13	
233	3190*	3111	Juvenile court data in statewide supervision system.	3/13	
234	2783*	2671	No-fault auto insurance residual liability coverage regulated.	3/14	
235	1189*	1376	Election of municipal council members provided after annexation.	3/14	
236	1620*	2210	Orderly annexation agreements strengthened.	3/14	
237	2987*		Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	3/14	
238	3202*	2801	Delano Public Utilities Commission increased to five members.	3/14	
239	2629*	2913	Retired professional designation for Board of Architecture et al.-licensed retirees.	3/14	
240	3309*	3082	Nursing home licensed bed lay away authorized during moratorium projects.	3/14	
241	2637*	2472	Temporary town officeholders authorized in event of inability or refusal to serve.	3/14	
242	3344*	2892	Second judicial district combined jurisdiction program authorized.	3/14	
243	3296*	3206	State employee Social Security administrative duties transfer.	3/14	

◆ - veto overridden by Legislature

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

Minnesota House of Representatives 2002 Members

District/Member/Party			Phone (651) 296-	District/Member/Party			Phone (651) 296-
		Room*				Room*	
49A	Abeler, Jim (R)	581	1729	40A	Larson, Dan (DFL)	221	7158
45A	Abrams, Ron (R)	585	9934	27B	Leighton, Rob (DFL)	289	4193
19B	Anderson, Bruce (R)	411	5063	40B	Lenczewski, Ann (DFL)	337	4218
3A	Anderson, Irv (DFL)	343	4936	45B	Leppik, Peggy (R)	485	7026
6A	Bakk, Thomas (Tom) (DFL)	345	2190	2A	Lieder, Bernie L. (DFL)	323	5091
48B	Bernardy, Connie (DFL)	329	5510	33A	Lindner, Arlon (R)	417	7806
59A	Biernat, Len (DFL)	303	4219	56B	Lipman, Eric (R)	567	4244
30B	Bishop, Dave (R)	453	0573	67A	Mahoney, Tim (DFL)	377	4277
12B	Blaine, Greg (R)	387	4247	55A	Mares, Harry (R)	401	5363
25B	Boudreau, Lynda (R)	473	8237	65B	Mariani, Carlos (DFL)	203	9714
30A	Bradley, Fran (R)	559	9249	57B	Marko, Sharon (DFL)	279	3135
35B	Buesgens, Mark (R)	445	1072	9B	Marquart, Paul (DFL)	311	6829
46B	Carlson, Lyndon R. (DFL)	283	4255	36B	McElroy, Dan (R)	437	4212
10B	Cassell, George (R)	421	4317	54A	McGuire, Mary Jo (DFL)	259	4342
23A	Clark, James T. (R)	551	9303	39B	Milbert, Bob (DFL)	243	4192
61A	Clark, Karen (DFL)	307	0294	35A	Molnau, Carol L. (R)	443	8872
11A	Daggett, Roxann (R)	439	4293	21B	Mulder, Richard (R)	515	4336
31B	Davids, Gregory M. (R)	549	9278	58A	Mullery, Joe (DFL)	389	4262
62A	Davnie, Jim (DFL)	335	0173	8A	Murphy, Mary (DFL)	357	2676
65A	Dawkins, Andy (DFL)	215	5158	20A	Ness, Robert "Bob" (R)	509	4344
14A	Dehler, Steve (R)	491	7808	10A	Nornes, Bud (R)	471	4946
29A	Dempsey, Jerry (R)	575	8635	19A	Olson, Mark (R)	501	4237
60B	Dibble, D. Scott (DFL)	369	9281	16A	Opatz, Joe (DFL)	277	6612
27A	Dorman, Dan (R)	579	8216	29B	Osskopp, Mike (R)	521	9236
24A	Dorn, John (DFL)	201	3248	66A	Osthoff, Tom (DFL)	273	4224
18A	Eastlund, Rob (R)	449	5364	11B	Otremba, Mary Ellen (DFL)	393	3201
64A	Entenza, Matt (DFL)	261	8799	37A	Ozment, Dennis (R)	479	4306
42A	Erhardt, Ron (R)	591	4363	42B	Paulsen, Erik (R)	545	7449
17A	Erickson, Sondra (R)	407	6746	38B	Pawlenty, Tim (R)	459	4128
52B	Evans, Geri (DFL)	211	0141	64B	Paymar, Michael (DFL)	209	4199
1B	Finseth, Tim (R)	517	9918	32A	Pelowski Jr., Gene (DFL)	295	8637
44A	Folliard, Betty (DFL)	281	3964	1A	Penas, Maxine (R)	553	9635
4A	Fuller, Doug (R)	525	5516	13B	Peterson, Doug (DFL)	287	4228
36A	Gerlach, Chris (R)	531	5506	39A	Pugh, Thomas W. (DFL)	267	6828
63B	Gleason, Mark S. (DFL)	313	5375	44B	Rhodes, Jim (R)	409	9889
9A	Goodno, Kevin (R)	563	5515	32B	Rifenberg, Michelle (R)	423	1069
52A	Goodwin, Barbara (DFL)	353	4331	5A	Rukavina, Tom (DFL)	375	0170
58B	Gray, Gregory (DFL)	327	8659	28A	Ruth, Connie (R)	415	5368
54B	Greiling, Mindy (DFL)	253	5387	17B	Schumacher, Leslie J. (DFL)	217	5377
26A	Gunther, Bob (R)	379	3240	41A	Seagren, Alice (R)	477	7803
48A	Haas, Bill (R)	569	5513	21A	Seifert, Marty (R)	593	5374
50A	Hackbarth, Tom (R)	577	2439	5B	Sertich, Anthony "Tony" (DFL)	233	0172
22B	Harder, Elaine (R)	583	5373	2B	Skoe, Rod (DFL)	321	4265
66B	Hausman, Alice (DFL)	245	3824	62B	Skoglund, Wes (DFL)	251	4330
47B	Hilstrom, Debra (DFL)	227	3709	57A	Slawik, Nora (DFL)	349	7807
8B	Hilty, Bill (DFL)	207	4308	34A	Smith, Steve (R)	503	9188
37B	Holberg, Mary Liz (R)	433	6926	3B	Solberg, Loren A. (DFL)	309	2365
56A	Holsten, Mark William (R)	381	3018	33B	Stanek, Rich (R)	543	5502
4B	Howes, Larry (R)	431	2451	14B	Stang, Doug (R)	597	4373
6B	Huntley, Thomas (DFL)	351	2228	28B	Sviggun, Steve (R)	463	2273
53B	Jacobson, Carl (R)	429	7153	7A	Swapinski, Dale (DFL)	331	4282
7B	Jaros, Mike (DFL)	291	4246	23B	Swenson, Howard (R)	539	8634
18B	Jennings, Loren Geo (DFL)	237	0518	43B	Sykora, Barb (R)	403	4315
34B	Johnson, Jeff (R)	487	5511	46A	Thompson, Mark (DFL)	223	4176
24B	Johnson, Ruth (DFL)	241	7065	50B	Tingelstad, Kathy (R)	507	5369
67B	Johnson, Sheldon (DFL)	229	4201	25A	Tuma, John (R)	533	4229
47A	Jordan, John (R)	359	3751	51B	Vandeveer, Ray (R)	529	4124
15A	Juhnke, Al (DFL)	371	6206	63A	Wagenius, Jean (DFL)	239	4200
59B	Kahn, Phyllis (DFL)	255	4257	61B	Walker, Neva (DFL)	213	7152
26B	Kalis, Henry J. (DFL)	317	4240	12A	Walz, Dale (R)	527	4333
60A	Kelliher, Margaret Anderson (DFL)	231	0171	55B	Wasiluk, Scott (DFL)	225	1188
20B	Kielkucki, Tony (R)	367	1534	51A	Westerberg, Andrew (R)	523	4226
16B	Knoblach, Jim (R)	451	6316	13A	Westrom, Torrey (R)	557	4929
49B	Koskinen, Luanne (DFL)	301	4231	38A	Wilkin, Tim (R)	413	3533
53A	Krinkie, Philip (R)	365	2907	22A	Winter, Ted (DFL)	247	5505
15B	Kubly, Gary W. (DFL)	315	4346	41B	Wolf, Ken (R)	571	5185
31A	Kuisle, William (R)	565	4378	43A	Workman, Tom (R)	537	5066

Note: Room numbers are subject to change.

*All rooms are in the State Office Building unless otherwise noted, St. Paul, MN 55155; List as of March 8, 2002

Minnesota Senate 2002 Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen R. (DFL)	120 Cap.	5537	39 Metzen, James P. (DFL)	322 Cap.	4370
56 Bachmann, Michele M. (R)	125 SOB	4351	2 Moe, Roger D. (DFL)	208 Cap.	2577
41 Belanger Jr., William V. (R)	113 SOB	5975	67 Moua, Mee (DFL)	323 Cap.	5285
13 Berg, Charles A. (R)	G-25 SOB	5094	29 Murphy, Steve (DFL)	306 Cap.	4264
61 Berglin, Linda (DFL)	309 Cap.	4261	25 Neuville, Thomas M. (R)	123 SOB	1279
48 Betzold, Don (DFL)	G-9 Cap.	2556	43 Oliver, Edward C. (R)	117 SOB	4837
52 Chaudhary, Satveer (DFL)	325 Cap.	4334	34 Olson, Gen (R)	119 SOB	1282
64 Cohen, Richard J. (DFL)	317 Cap.	5931	60 Orfield, Myron (DFL)	227 Cap.	4191
28 Day, Dick (R)	147 SOB	9457	19 Ourada, Mark (R)	145 SOB	5981
20 Dille, Steve (R)	103 SOB	4131	65 Pappas, Sandra L. (DFL)	120 Cap.	1802
14 Fischbach, Michelle L. (R)	G-15 SOB	2084	37 Pariseau, Pat (R)	109 SOB	5252
49 Foley, Leo T. (DFL)	G-24 Cap.	4154	59 Pogemiller, Lawrence J. (DFL)	235 Cap.	7809
26 Fowler, Chuck (DFL)	G-9 Cap.	5713	57 Price, Leonard R. (DFL)	235 Cap.	7-8060
23 Frederickson, Dennis R. (R)	139 SOB	8138	63 Ranum, Jane B. (DFL)	120 Cap.	7-8061
58 Higgins, Linda I. (DFL)	328 Cap.	9246	53 Reiter, Mady (R)	132D SOB	1253
24 Hottinger, John C. (DFL)	205 Cap.	6153	46 Rest, Ann H. (DFL)	G-24 Cap.	2889
40 Johnson, David H. (DFL)	124 Cap.	9261	18 Ring, Twyla (DFL)	306 Cap.	5419
15 Johnson, Dean E. (DFL)	124B Cap.	3826	45 Robertson, Martha R. (R)	141 SOB	4314
50 Johnson, Debbie J. (R)	149 SOB	3219	35 Robling, Claire A. (R)	143 SOB	4123
6 Johnson, Douglas J. (DFL)	205 Cap.	8881	62 Sabo, Julie A. (DFL)	317 Cap.	4274
44 Kelley, Steve (DFL)	321 Cap.	7-8065	11 Sams, Dallas C. (DFL)	328 Cap.	7-8063
32 Kierlin, Bob (R)	127 SOB	5649	12 Samuelson, Don (DFL)	120 Cap.	4875
4 Kinkel, Anthony G. "Tony" (DFL)	G-9 Cap.	4913	31 Scheevel, Kenric J. (R)	129 SOB	3903
30 Kiscaden, Sheila M. (R)	135 SOB	4848	47 Scheid, Linda (DFL)	303 Cap.	8869
16 Kleis, Dave (R)	107 SOB	6455	27 Schwab, Grace (R)	151 SOB	9248
36 Knutson, David L. (R)	133 SOB	4120	7 Solon, Yvonne Prettnner (DFL)	303 Cap.	4188
51 Krentz, Jane (DFL)	111 Cap.	7061	17 Stevens, Dan (R)	105 SOB	8075
9 Langseth, Keith (DFL)	122 Cap.	3205	1 Stumpf, LeRoy A. (DFL)	G-24 Cap.	8660
10 Larson, Cal (R)	153 SOB	5655	42 Terwilliger, Roy (R)	115 SOB	6238
21 Lesevski, Arlene J. (R)	131 SOB	4125	5 Tomassoni, David J. (DFL)	111 Cap.	8017
3 Lessard, Bob (IP)	G-51 SOB	4136	22 Vickerman, Jim (DFL)	226 Cap.	5650
33 Limmer, Warren (R)	121 SOB	2159	38 Wiener, Deanna L. (DFL)	303 Cap.	7-8073
8 Lourey, Becky (DFL)	G-9 Cap.	0293	55 Wiger, Charles W. (DFL)	301 Cap.	6820
54 Marty, John (DFL)	325 Cap.	5645			

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2002 Minnesota House of Representatives Profile

Membership					
	2002	2001	1999	1997	1995
DFL	63	65	63	70	71
R	71	69	71	64	63
Men	100	99	99	95	102
Women	34	35	35	39	32

Current Term					
	2002	2001	1999	1997	1995
1	20	18	20	22	26
2*	20	20	24	29	29
3*	22	22	25	25	16
4	22	22	20	14	11
5	16	17	10	7	20
6	8	8	5	14	7
7	4	4	10	6	4
8	7	7	4	3	2
9	3	3	3	1	3
10	2	2	1	3	5
11	1	1	2	3	3
12	1	1	3	2	6
13	3	3	2	4	1
14	2	2	4	—	—
Other*	3 (15)	4 (15)	1 (22)	1 (21)	1 (20)

* - Includes nonconsecutive terms

Age					
	2002†	2001†	1999	1997	1995
21-30	5	5	6	5	6
31-40	25	27	23	27	24
41-50	39	42	51	45	51
51-60	43	41	38	43	34
61-70	14	12	13	11	16
over 71	4	3	3	3	3
Average age	48.3	48.4	48.7	48.3	47.9

† - Ages not available for four members

Occupation				
	2002	2001	1999	1997
Business	24	23	24	21
Educator	20	20	19	22
Attorney	15	15	17	17
Legislator	14	15	14	18
Farming	9	8	9	11
Consultant	5	6	6	6
Homemaker	4	4	5	5
Communications	3	3	4	4
Insurance	2	2	4	3
Retired	4	4	4	3
Real Estate	3	3	3	2
Trades	3	2	2	3
Accountants	2	—	—	—
Government	2	3	2	6
Other	24	26	20	17

Education				
	2002	2001	1999	1997
High School	3	3	4	5
Some College	14	13	17	19
4-yr. Undergraduate Degree	42	44	39	40
Some Graduate work	13	13	13	16
Graduate Degree	50	50	49	43
Technical College	6	5	6	10
2-yr. Undergraduate Degree	6	6	6	1

Friday, March 8

HF3678—Dempsey (R) Governmental Operations & Veterans Affairs Policy

Mississippi River Parkway Commission extended to 2009.

HF3679—Dawkins (DFL) Taxes

Working family income tax credit increased.

HF3680—McGuire (DFL) Family & Early Childhood Education Finance

Early childhood care and education pilot projects established, and money appropriated.

HF3681—Knoblach (R) Taxes

St. Cloud area cities local sales and use taxes authorized to fund specified projects.

Monday, March 11

HF3682—Leighton (DFL) Environment & Natural Resources Finance

Adams municipal grant provided to investigate possible contamination from a former coal gasification plant, and money appropriated.

HF3683—Bradley (R) Health & Human Services Finance

Health records access provisions modified.

Wednesday, March 13

HF3684—Daggett (R) Taxes

Detroit Lakes tax increment pooling authorized to meet debt service obligations.

HF3685—Erickson (R) Health & Human Services Policy

Births resulting in stillbirth recorded.

HF3686—Erickson (R) Civil Law

Driver's license application provision requiring social security number federal repeal urged by resolution.

HF3687—Kahn (DFL) Taxes

Minneapolis southeast industrial area tax increment financing district extension authorized.

Thursday, March 14

HF3688—Kelliher (DFL) Taxes

Guthrie Theater construction materials sales tax exemption provided.

HF3689—Kelliher (DFL) Taxes

Walker Art Center construction materials sales tax exemption provided.

HF3690—Seifert (R) Higher Education Finance

State contract moratorium exemption provided for contracts paid entirely with fees paid by students at public post-secondary institutions.

HF3691—Seifert (R) Rules & Legislative Administration

Constitution; previous applications by the Legislature to Congress to call a constitutional convention voided by resolution, and other states urged to do the same.

COMMITTEE SCHEDULE

MARCH 18 - 22, 2002

Schedule is subject to change.
For information updates, call House Calls at **(651) 296-9283**.
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MONDAY, March 18

8 a.m.

**Legislative Commission on
Metropolitan Government**
112 State Capitol
Chr. Sen. Ann H. Rest
Agenda: Blueprint 2030.

8:30 a.m.

TAXES
200 State Office Building
Chr. Rep. Ron Abrams

Agenda: Public hearings:
HF3664 (Abrams) Local municipal bonding authority restrictions provided.
HF2751 (Stang) Minnesota credit union protection act adopted.
HF3375 (Seagren) Hennepin County environmental response fund continued.
HF3594 (Abrams) Income tax federal update provided including victims of terrorism tax relief act of 2001.
HF3503 (Daggett) Bakery goods including bread, and other foods, specifically exempted from the prepared foods sales tax.
HF3574 (Marquart) Property tax notice lake improvement district amount required to be shown separately.
HF3629 (Marquart) Property tax payment required prior to title transfer of manufactured homes, and notification provided.
HF3652 (Buesgens) Biomass electrical generating facility under a certain size exempted from property taxes.
HF3669 (Rifenberg) Owner-occupied and owner-operated lodging property tax classification established.

9 a.m.

EDUCATION POLICY
5 State Office Building
Chr. Rep. Harry Mares
Agenda: HF1868 (Davids) Statewide health

insurance for school district employees pilot project established, post-retirement health insurance coverage authorized, and labor management team provided to design the plan.
HF3007 (Olson) School districts authorized to opt out of specified state mandates.

**Legislative Coordinating Commission
Subcommittee on Employee Relations**
300S State Office Building
Chr. Rep. Carol Molnau
Agenda: Review/approve managerial plan, review/approve commissioner's plan, update on collective bargaining, review/recommend salary cap waiver for Rochester Public Utilities manager.

1 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, March 19

9 a.m.

THE HOUSE MEETS IN SESSION.

Time to be determined

TAXES
200 State Office Building
Chr. Rep. Ron Abrams
Agenda: Continuation of hearings and other bills to be announced.

WEDNESDAY, March 20

9 a.m.

THE HOUSE MEETS IN SESSION.

Time to be determined

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

THURSDAY, March 21

9 a.m.

THE HOUSE MEETS IN SESSION.

Time to be determined

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

FRIDAY, March 22

8:30 a.m.

TAXES

10 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

Continued from page 4

\$23.1 million to finish exterior restoration of its surrounding walls, plus \$90,000 for pre-design of a new segregation unit. The Lino Lakes facility would receive \$4.2 million for a new unit to house 416 offenders, and the Shakopee women's prison would receive \$3.1 million to renovate an independent living unit.

A new veterans home for transitional or permanent housing that would provide health and social services would receive nearly \$20 million in the bill. Also, the Hastings veterans home would receive almost \$9 million for building preservation.

Additionally, \$50 million would be allocated to the Department of Administration for new state buildings.

Other projects

Under the state education department, the House would allocate \$1 million for a south-west metro magnet school and \$500,000 for early childhood facilities grants. The Perpich Center for the Arts would receive its requested \$643,000 for asset preservation.

The Minnesota Historical Society would receive \$2.5 million in asset preservation and

\$500,000 in county and local historical preservation grants.

No funding

The Minnesota Zoo would not receive any of its nearly \$19 million request for the design and construction of the zoo master plan.

The House has recommended no funding for the arts. Proposals heard include: \$35 million for the Guthrie Theater; \$12 million for

Reflections

Several bills on the road to becoming law this legislative session deal with improving modes of transportation for the state. A quick glance at House bill introductions indicate that lawmakers are pushing to have a strong transportation-related package by the time this session ends.

The bills involve light-rail transit, bus route improvements, rethinking the use of high-occupancy vehicle lanes on freeways, local road upgrades, gas tax increases, increased airport security, and even limited use of the latest in technology — the Segway electric-powered device for personal movement — a cross between a scooter and a vehicle.

It is a far cry from modes of transportation that played an important role in the growth of the state.

The oldest modes of travel were by foot, canoe, pack horse, and dog sled. As the French and British moved further inland from the Great Lakes in search of trade with the American Indians or to acquire new land for their countries, they settled in small outposts which soon grew as pioneers made surrounding areas a permanent home.

These pockets of concentrated populations grew along such major water routes as the Minnesota, Mississippi, and Red rivers. Those who moved there made the oxcart, horse and buggy, and stagecoach better methods for transporting goods and themselves over rugged or muddy paths that connected to outlying farms and towns.

On water routes, the Virginia was the first steamboat to chug up the Mississippi to

Fort Snelling in 1823. According to historian Theodore Blegen, "That was a great day at the fort, a great day in the history of Minnesota." He said the fort inhabitants and others nearby felt that they were now connected with the outside world.

By then some new immigrants had already settled in the Red River Valley by coming through Hudson Bay in Canada. But many who settled along the Red River could not make a living hauling their carts with

merchandise to St. Paul, or grow enough crops to feed their families. In 1823, 12 families loaded up their oxcarts and walked about 300 miles from the western part of the territory to Fort Snelling to start over, said Blegen.

As methods of transportation in early Minnesota continued to expand, the demise of the oxcart was helped along by the Legislature. It passed laws to make faster connections to distant destinations by providing better roads on caravan routes already carved out by years of usage.

Lawmakers at the turn of the 20th century also played a key role in establishing the area as a railway center to help increase the transport of raw materials to the Twin Cities and cities to the east and west.

The trains made return trips filled with newcomers and freight cars stocked with supplies for those already residing in the rapidly growing state.

The age of transportation marches on as today's legislators continue to improve ways to get from point A to point B.

—LECLAIR GRIER LAMBERT

Photo courtesy of the Minnesota Historical Society



renovation of the Children's Theatre; \$10 million for the Schubert Theater; \$2.3 million for the design of the Rochester Art Center; and \$1 million for the Bloomington Center for the Arts.

Also, a \$30 million request for the Minneapolis Planetarium was not recommended. Supporters said the planetarium will likely not be built without the state funding. 🐾

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PUBLIC INFORMATION OFFICE
175 STATE OFFICE BUILDING
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SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: TIM PAWLENTY
MINORITY LEADER: THOMAS W. PUGH

MINNESOTA INDEX

New business in Minnesota

New businesses started in Minnesota during 2000	12,100
Approximate number of new jobs created by those businesses	47,300
Percentage of businesses started by people ages 25-44	65
Ages 45-64, as percent	29
Percentage of businesses with one founder	33
Businesses with two founders, as percent	45
U.S. Census Bureau estimated number of businesses that succeed after operating for four years, as percent	50
Founders with no experience starting a business, as percent	64
Outside the Twin Cities metropolitan area, as percent	66
Start-ups that prepared a business plan before starting operations, as percent	62
Those that performed market research, as percent	38
Percentage that prepared a marketing plan	30
Percentage of start-ups that didn't prepare a business or marketing plan, perform market research, assemble a team of experts, or organize an advisory board	27
Number of founders using access to loans (most commonly used government service), as percent	27
Those using tax-related services, as percent	25
Those using advice on how to operate a business, as percent	19
Approximate percentage of businesses started for less than \$50,000	40
Between \$50,000 and \$100,000	25
Percentage of founders who said start-up costs were as expected	62
Founders using personal funds in starting a business, as percent	85
Those seeking outside equity or debt financing	52
New businesses that employed 25 people or fewer, as percent	76
Percent that employed more than 50 people	10
Percentage of new businesses in manufacturing sector	29
High-tech areas, as percent	18
Business services, as percent	16
Computer-related services, as percent	12
New businesses generating between \$1 million and \$4.9 million in revenue, as percent	39
Less than \$1 million, as approximate percent	50
Percentage of start-ups that offered new-to-market products or services, or improvements to existing products or services	38
New businesses, as percent, that indicated no current (or future) international sales	75

Source: *Starting Up Economic Engines: Key Highlights from a Survey of Minnesota's Business Start-ups*, Minnesota Department of Trade and Economic Development, September 2001.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

MARCH 22, 2002
VOLUME 19, NUMBER 8

In this issue:

NEW DISTRICT BOUNDARIES

STATE EMPLOYEE CONTRACTS, AND MORE

HF3692-HF3704

Session Weekly

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

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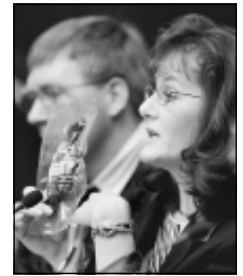
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On the cover: Rep. Joe Opatz, *left*, Rep. Paul Marquart, *center*, and Rep. Kevin Goodno, *right*, huddle around laptop computers and maps March 19 to look at the newly drawn boundaries of their legislative districts after the court's redistricting plan was released.

— Photo by Tom Olmscheid

Boundary redesign

Redistricting plan will give the House a new look in 2003 as 36 incumbents could face off, 18 new districts created

By DAVID MAEDA

It's likely that there have been few times in Minnesota history when as many people crouched simultaneously around a computer screen to look at a map of the state as there were March 19. That was the day a court-appointed panel released its redrawn map of the state's legislative and congressional districts.

And while technology may have made the current redistricting process—as far as physically drawing and viewing maps—easier than anytime in the past, the inherent political implications of how districts are drawn remained at the center of the attention.

The redistricting plan developed by the five-member panel, appointed by Supreme Court Chief Justice Kathleen Blatz, divides the state's congressional districts into five Twin Cities metropolitan area-based districts and three Greater Minnesota districts to reflect the continuing shift in the state's population.

The 2000 U.S. Census Data measures Minnesota's population at 4.9 million. Nearly 54 percent, or 2.6 million, of the state's population resides in the seven-county Twin Cities metropolitan area.

Upon its release, lawmakers and members of the public scrambled around the Capitol complex to view the plan and determine its effect politically and personally.

The panel identified the ideal-sized Senate district to have a population of 73,425. The districts in the plan range in population from 72,976 to 73,964. The ideal House district is 36,713, and the plan has districts that range in size from 36,424 to 36,998.

The state constitution dictates that the Legislature is responsible for redistricting the state's political boundaries every 10 years following census results. The courts

become involved if the Legislature is unable to agree to a plan.

Last session, the House Redistricting Committee, chaired by Rep. Erik Paulsen (R-Eden Prairie), held hearings throughout the state to give an ear to the opinions of various groups about how the state should be redistricted. At the time Paulsen admitted that it would be a challenge for the Legislature to accomplish the task.

"It seems inevitable that the courts eventually get involved," he said.

The legislative and congressional bills that eventually passed the House (HF2519 and HF2516) did so on a party-line vote. The plans were considerably different from the Senate bill (SF2377), sponsored by Sen. Lawrence Pogemiller (DFL-Mpls), that also passed that body on a party-line vote.

Last fall Gov. Jesse Ventura also put forward a plan developed by a committee composed of the state's four major political parties, members of Common Cause Minnesota, the League of Women Voters, and four citizen panelists.

Meanwhile the court-appointed panel began holding hearings across Minnesota to gather information about developing its own plan.

The judicial panel consisted of Court of Appeals Chief Judge Edward Toussaint Jr.,

**View the district maps
on page 18**

Court of Appeals Judge Thomas Kalitowski, St. Louis County District Court Judge Gary Pagliaccetti, Waseca County District Court Judge Heidi Schellhas, and Hennepin County District Court Judge Renee Worke.

The judges developed a set of principles on which its plan would be developed. Among the criteria was that communities of interest—defined as groups with clearly recognizable similarities of social, geographic, political, cultural, ethnic, economic, or other interests—be preserved wherever possible.

The panel rejected the House proposal to incorporate Minneapolis and St. Paul into a single congressional district. House Republicans argued that the Twin Cities have more in common with each other than they do with surrounding suburbs.

Likewise, the panel did not accept the Senate proposal to maintain four Greater Minnesota congressional districts and four metropolitan districts.

The plan does place the White Earth and Red Earth American Indian reservations into the same Senate district in northern Minnesota.

Another stated criterion was that a district could not be drawn for the purpose of protecting or defeating an incumbent. The panel also tried to limit dividing a county, city, or township into different districts wherever possible.

As for the Legislature, the panel's redistricting plan pairs 36 incumbent House members

against each other and creates 18 open districts. One new district pairs two female incumbent House members. Overall, women in the House constitute 24 percent of the incumbents paired in the new districts.

In total, the Twin Cities metropolitan area gains two House seats, although the core cities and inner suburbs lose two seats while the surrounding second- and third-ring suburbs gain four seats. Greater Minnesota loses two districts, with the rural areas losing three seats and the St. Cloud regional center gaining a representative.

Ten DFL House members



PHOTO BY TOM OLMSCHIED

Rep. Lynda Boudreau, left, and Rep. Richard Mulder use maps and a laptop computer March 19 to look at the boundaries of their newly-drawn legislative districts.



Examination required

1939 overhaul of gas tax administration revealed prior fraud, inefficiencies

Logic might dictate that the state Department of Revenue should administer the gasoline tax, along with the various other taxes collected by the state, even if state law didn't.

Such was not the case in the early 1900s as the administration of the petroleum tax bounced from department to department until it eventually landed in Department of Taxation in 1939.

But the tax, initially enacted in 1925 to benefit of highways in the state, encountered a rough road for the first 13 years of its existence.

In 1955, the University of Minnesota's Public Administration Training Center published its third study in administration, focusing on the Minnesota Department of Taxation. Lloyd Short, Clara Penniman, and Floyd Flom tracked the history of the department, as well as the taxes it administered, using various sources.

As for the gas tax, the group concluded that important measures begun by Gov. Harold Stassen in 1939 and carried through by the Legislature in subsequent years significantly transformed the administration of the tax.

In 1925, the Legislature passed a 2 cents per gallon tax on vehicles operating in the state. Distributors paid the tax to the state and then passed the cost on to the consumer by raising prices by the amount of the tax.

At the time, taxation functions were integrated with inspections. The Industrial Commission was thereby in charge of collecting the petroleum tax.

In 1929, the functions were transferred to the Department of Agriculture with the philosophy that the department could verify the quality of the gasoline and collect the taxes.

Within the next several years, the administration of the gas tax would be praised by both the state Industrial Commission and the head tax analyst at the university.

"Collection of the tax is easier and more economical in Minnesota than in most states because the tax is assessed on the in-shipments and must be paid monthly by the importing distributor... Few states have costs so low, and the administrative situation appears to be good," said Roy Blakey in his report about taxation.

But the happy days would not last long. Stassen, in his inaugural speech in 1939, promised a reorganization of administration of the tax. Why? Evidence showed "malfeasance and fraud, in addition to generally poor administrative practices," said the university report.

According to documents, two former top officials were indicted for malfeasance, while four other employees were charged with grand larceny.

Under the pre-1939 structure, there was no separation between the employees determining the amount due, collecting the money, and keeping track of the accounts. And much of the money was collected in cash.

"The public examiner reported finding evidence of considerable petty thievery," the report noted.

In addition, no formal

audit procedures were in place prior to 1939, leaving the refund program free from accountability. The way the program worked, since all incoming gasoline was taxed, certain individuals could apply for refunds. This was the preferred practice to exemptions at the time.

As a result, many individuals applied for more than one refund, which were granted.

"Until 1938, no payments were posted to individual records, so that a farmer or other gasoline taxpayer claiming exemption might duplicate his refund applications without fear of detection," the history said.

Chief inspectors operated under a system of political patronage for appointing deputies, who often used their homes as offices and inspected facilities only at operators' request.

Under Stassen's new chief inspector, 70 of 113 inspectors were fired, and only 58 were hired to replace them. Field investigators and auditors were deployed, collections and billing functions were separated, and the official move to the Taxation Department was made.

In 1941 the Legislature changed laws governing the tax to place the burden for reporting and paying taxes to distributors, and also to focus on sales at the pump rather than incoming shipments.

The university group called that move the "single most significant" fix to the system.

(M. KIBIGER)

Photo courtesy of the Minnesota Historical Society



Gov. Harold Stassen in 1939

now find themselves in the same districts:

- Rep. Loren Solberg (DFL-Bovey) and Rep. Irv Anderson (DFL-Int'l Falls),
- Rep. Dale Swapinski (DFL-Duluth) and Rep. Mike Jaros (DFL-Duluth),
- Rep. Mark Thompson (DFL-New Hope) and Rep. Lyndon Carlson (DFL-Crystal),
- Rep. Jean Wagenius (DFL-Mpls) and Rep. Wes Skoglund (DFL-Mpls), and
- Rep. Mary Jo McGuire (DFL-Falcon Heights) and Rep. Alice Hausman (DFL-St. Paul).

Likewise 12 Republican House members are paired off:

- Rep. Torrey Westrom (R-Elbow Lake) and Rep. George Cassell (R-Alexandria),
- Rep. Doug Stang (R-Cold Spring) and Rep. Steve Dehler (R-St. Joseph),
- Rep. Jerry Dempsey (R-Red Wing) and Rep. Mike Osskopp (R-Lake City),
- Rep. Greg Davids (R-Preston) and Rep. Michelle Rifenberg (R-La Crescent),
- Rep. Carol Molnau (R-Cologne) and Rep. Tom Workman (R-Chanhassen), and
- Rep. Ken Wolf (R-Burnsville) and Rep. Dan McElroy (R-Burnsville).

Seven of the newly drawn districts contain House members from opposing parties:

- Rep. Tim Finseth (R-Angus) and Rep. Bernie Lieder (DFL-Crookston),
- Rep. Mark Olson (R-Big Lake) and Rep. Leslie Schumacher (DFL-Princeton),
- Rep. Rob Eastlund (R-Isanti) and Rep. Loren Jennings (DFL-Harris),
- Rep. Richard Mulder (R-Ivanhoe) and Rep. Doug Peterson (DFL-Madison),
- Rep. Howard Swenson (R-Nicollet) and Rep. Ruth Johnson (DFL-St. Peter),
- Rep. Betty Folliard (DFL-Hopkins) and Rep. Jim Rhodes (R-St. Louis Park), and
- Rep. Bill Haas (R-Champlin) and Rep. Luanne Koskinen (DFL-Coon Rapids).

In the Senate, 18 incumbents are paired and there are nine open seats.

On a federal level, U.S. Reps. Bill Luther and Mark Kennedy were placed in the same district. Other Minnesota members of Congress saw their districts altered somewhat.

In its order issued along with the redistricting plan, Justice Toussaint, who presided over the panel, wrote, "Based on all these considerations, we conclude that although no plan satisfies every interest, this plan is balanced and fair while placing a premium on achieving low population deviations and creating relatively few political subdivision splits."

The next redistricting related deadline is April 30 when municipal wards and precincts are to be redrawn. County commissioner and school district boundaries are to be redrawn by May 28. New polling place locations must be approved by June 11. 🐾

★ AGRICULTURE

Biodiesel becomes law**Filed
without
signature
★ ★ ★**

Minnesota is the first state to pass a law requiring that all diesel fuel sold contain a vegetable oil or animal fat additive known as biodiesel.

Gov. Jesse Ventura let the bill become law without his signature March 15.

The requirement calls for a 2 percent biodiesel blend by March 1, 2005 or earlier if the state or federal government passes a biodiesel tax credit. The state's soybean producers have pointed to biodiesel production as a way to boost the crop's lagging prices.

The House passed the bill, sponsored by Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing), March 11 on a 78-53 vote after it sailed through the Senate earlier in the day 53-11.

Although Ventura said he supports the use of renewable fuels like biodiesel and economic development opportunities for rural Minnesota, he stopped short of completely endorsing the bill because he said it imposes a government mandate.

"I have reservations about legislation with elaborate conditions for future action," the governor wrote in a letter to Senate President Don Samuelson (DFL-Brainerd) that accompanied the bill. "I am also troubled by the fact that the Legislature can pass SF1495, increase future fuel costs and add to inflation while they ignore inflation in their proposed budget solutions."

Ventura was referring to a budget-balancing agreement that did not take inflation into account for future spending estimates.

Proponents of the biodiesel legislation argued the additive will tack at most a few extra cents to the cost of a gallon of diesel fuel. Opponents argued it will be more expensive and also hurt the state's truck stop operators because truckers will refuel in other states.

The requirement will not apply to motors used by nuclear power plants, trains, and taconite and copper mines. The law also contains a reimbursement clause: If the state repeals the mandate within two years, processors will be able to recoup up to 80 percent of their costs to switch to the biodiesel blend.

Further, the law also calls for at least 50 percent of the biodiesel to be produced in the state. Before the requirement can take effect, the state's annual production capacity must exceed 8 million gallons.

The governor said the "clear opportunity for

our farmers and our state" swayed his decision.

"After balancing the statewide benefits of SF1495 against my concerns about the process used to gain those benefits, I have decided that I cannot sign the bill but I also will not stand in the way of its implementation," the governor wrote.

Enactment of the biodiesel requirement comes as the U.S. Senate considers including biodiesel incentives in its energy bill.

HF1547/SF1495*/CH244

★ ARTS

State photograph

Bovey native Eric Enstrom's world-renowned photograph "Grace" would be added to the growing list of state symbols, under a measure that passed the House March 18 by a 115-11 vote.

The bill would require the secretary of state's office to display the photograph.

Shot by Enstrom in 1918, the photograph features an elderly man sitting pensively with bowed head and folded hands leaning over a table holding a pair of spectacles resting atop a thick book, a bowl of gruel, a loaf of bread, and a knife.

Rep. Loren Solberg (DFL-Bovey), the sponsor of the measure (HF1097/SF1072*), also sponsored a successful resolution in 2001 that urged the U.S. Postal Service to create a postage stamp of the photograph. That stamp has not yet been made.

Solberg didn't pursue the proposal to make the picture the state photograph at the same time because he said he wanted to give an opportunity to anyone else who might have another picture to put forward. He said that Minnesota Historical Society personnel told him nobody else has done so.

Rep. Michael Paymar (DFL-St. Paul) spoke against the bill because of its religious implications. Solberg had provided members with a pamphlet that said the book on the table was the family Bible.

"I'm not sure this is what the state Legislature should be doing," Paymar said. "I have concerns when we mix religion with government."

Solberg said that while the written material said the book was a Bible, members of the Enstrom family told him that it was the family dictionary.

Rep. Doug Peterson (DFL-Madison), himself a painter, spoke against the bill saying that although the photograph was famous, there wasn't particularly anything that distinguished

it as being Minnesotan.

The Senate passed the bill March 11 by a 51-12 vote. Sen. Bob Lessard (Ind.-Int'l Falls) is the Senate sponsor.

If the legislation becomes law, the photograph would join the state seal, the loon, wild rice, the Norway pine, "Hail! Minnesota," the morel, the walleye, the showy lady's slipper, the blueberry muffin, milk, the agate, and the monarch butterfly as the 14th state symbol.

★ BONDING

Bonding bill passes

The House passed its bonding bill (HF3618) when it was brought back to life March 18 after being rejected days before. The \$839.1 million total plan was approved 95-37, achieving the necessary three-fifths majority.

General obligation bonding in the bill, or bonding backed by the state's taxing powers, is about \$741 million.

The sticking point was a \$9 million allocation for the Northstar Corridor, which would run between Minneapolis and St. Cloud. That provision, sponsored by Rep. Kathy Tingelstad (R-Andover), was added during initial debate on the bill March 14 by a 71-60 vote.

House members then proposed amendments to replace the commuter rail project with bond funds for affordable housing, the new Guthrie Theater, public schools, anti-terrorism measures, and a rail line in southern Minnesota. Some failed on a vote; others were withdrawn, sponsors having made their point.

"This is a sham, all these amendments," said Tingelstad. "I think we've given bad politics quite a name."

Members defended their actions.

"There's a number of us on both sides that feel just as strongly about this," said Rep. Mark Olson (R-Big Lake), whose district includes a large portion of the corridor.

However, after hours of debate, the overall bill failed 68-59. The state constitution requires bonding bills to pass by a three-fifths majority, or 81 votes in the House, and the initial vote did not even get a simple majority.

When the House took the bill up again on March 18, several members stood on the House floor to indicate that although they support the commuter rail project, they were changing their votes so the rest of the projects in the bill would still go through.

The amendment to extract money for the commuter rail plan passed 76-57.

"There's all kinds of issues yet to be answered on this," said Rep. William Kuisle (R-Rochester), sponsor of the amendment.

Unforeseen costs and not enough reduction in traffic were reasons members claimed they opposed legislation to build the corridor.

"I'm worried about my grandchildren being saddled with a transit system we can't afford," said Rep. Dan Dorman (R-Albert Lea).

Other members argued eliminating the funding was the wrong decision.

Rep. Mindy Greiling (DFL-Roseville) said the state can only create so many roads. "We cannot build our way out of this congestion," she said.

Included in the Senate's \$1.2 billion bonding bill is \$8 million for the commuter rail line. Gov. Jesse Ventura sought \$120 million.

Several other projects are included in the bonding bill. Higher education would receive most of the funds from the bill (\$327 million), with additional money going toward roads and bridges (\$119 million), natural resources projects (\$89 million), trade and economic development (\$59 million), and \$50 million for new joint laboratory facility in St. Paul for the departments of health and agriculture.

House and Senate members will now meet in a conference committee to work out the differences between the bills.

★ CHILDREN

Daycare swimming regulations

Children would be allowed to continue to play in portable wading pools while at an in-home daycare centers, under a measure that passed on the House floor March 19.

The Legislature approved a law in 1999 that permitted the use of wading pools at licensed family daycare homes. But the law has been interpreted as an expired provision.

The bill (HF2600/SF2419*), sponsored by Rep. Richard Mulder (R-Ivanhoe) and Sen. Arlene Lesewski (R-Marshall), cleared the House on a 127-0 vote.

Under the bill, the child's parent or legal guardian would have to sign a statement indicating they had read materials prepared by the state informing them of the health risks associated with portable wading pools.

A portable wading pool would also be classified as a private resident pool rather than a public pool under Minnesota rules. The pool would have a maximum depth of 24 inches and be capable of being manually emptied and moved.

The House also adopted an amendment to the bill related to the family at-home infant care program. It would base the amount of state assistance on the family's income during

the period they participate in the infant care program.

The Senate concurred with the House amendment and repassed the bill 62-0 on March 20. The bill now goes to the governor.

The House also passed HF1517, another measure related to swimming regulations in family daycare settings, on a 108-20 vote March 19.

The bill, sponsored by Rep. Tim Wilkin (R-Eagan), would exempt daycare swimming pools from the state's public pool regulations.

Under the bill, a daycare provider would still be required to meet a host of requirements before they could let children swim in their pools, including obtaining written consent from one of each child's parents.

The daycare provider would also be obligated to attend a swimming pool operator training course once every five years. An individual trained in first aid and CPR would be required to supervise the pool when children are swimming.

HF1517 awaits a vote by the full Senate.

★ CONSUMERS

Battling telemarketers

A plan to reduce, and possibly, eliminate telemarketing calls is on its way to the House floor.

The House Ways and Means Committee approved HF2710 March 20.

Sponsored by Rep. Matt Entenza (DFL-St. Paul), the bill would create a do-not-call list that would be maintained by the Department of Commerce.

The bill calls for the list to be established by Jan. 1, 2003. It would cost residents nothing to add their telephone number. The notice would be effective for two years.

"Other states do this and it works," Entenza said. Do-not-call lists exist in 26 other states, and there has been discussion of creating a federal list. If a federal register is created, Minnesota's commerce commissioner would transmit the state's list to the federal one.

Telemarketers who wish to solicit goods or services would not be able to call those on the list. To obtain a copy of the list, solicitors would have to pay \$125 for each acquisition. The price would drop to \$90 in fiscal year 2004, and \$75 in fiscal year 2005 and thereafter. The bill would also require solicitors to get an updated copy of the list at least once every 90 days.

Those calling someone on the list would be subject to a fine of up to \$1,000 for each solicitation.

According to research conducted by the

American Association of Retired Persons, there are approximately 140,000 telemarketing firms in the United States. Up to 10 percent may be fraudulent.

Entenza said the fees paid by telemarketers for the lists would cover the administration costs. A fiscal note indicates an \$18,000 general fund profit in fiscal year 2003, \$11,000 in fiscal 2004, and \$1,000 in 2005.

Rep. Steve Dehler (R-St. Joseph) asked if the law would apply to politicians seeking contributions. Entenza said political purposes are exempt. "So the government is telling everyone else what to do and we don't do it ourselves," Dehler said.

A Senate version of the bill (SF3246), sponsored by Sen. Richard Cohen (DFL-St. Paul), awaits a floor vote.

No later bar hours

Various cities in the state would be given the authority to issue additional liquor licenses, under the omnibus liquor bill that passed the House March 19 by a 105-22 vote.

As amended the bill (HF3058/SF2739*), sponsored by Rep. Doug Stang (R-Cold Spring) and Sen. James Metzen (DFL-South St. Paul), would give the cities of Albert Lea, Brainerd, Coon Rapids, Eden Prairie, Proctor, and West St. Paul the authority to issue additional liquor licenses.

Much of the debate centered around a few unsuccessful amendments, including one offered by Rep. Phyllis Kahn (DFL-Mpls) that would have given cities the authority to extend the bar closing time of establishments within their jurisdictions from 1 a.m. to 2 a.m.

Rep. Wes Skoglund (DFL-Mpls) said the amendment would lead to more drinking and more deaths as a result of drunken driving.

Kahn said studies have shown that extending the closing time does not lead to more drinking. Because people would no longer drive to neighboring states with later closing hours, she said, public safety would actually increase. The amendment failed 109-24.

Kahn ultimately withdrew a second amendment that would have allowed the café in the Capitol to sell wine and beer. Last year a law was passed that allowed the establishment to sell those beverages at special events.

Rep. Carol Molnau (R-Cologne) said that stories from the past of lawmakers drinking during sessions resulted in skepticism from the public and the Legislature should try to maintain a dignified appearance.

Rep. Margaret Anderson Kelliher (DFL-Mpls) offered an unsuccessful amendment that would have allowed Minneapolis, St. Paul, Duluth, and St. Cloud the option of allowing hotel bars to serve liquor until 2 a.m. during the week and 2:30 a.m. on weekends.

She said convention vendors are often not finished working until around midnight and many of them would like to have a drink with their clients. She said the amendment would help Minnesota cities compete for convention business with other cities in the region, like Chicago and Des Moines, that have 2 a.m. bar closing times.

Rep. Tom Osthoff (DFL-St. Paul) offered an unsuccessful amendment deleting St. Paul from the list of cities in Kelliher's amendment. He said members of the hospitality industry and hotel and restaurant workers told him they did not have the staff needed for the additional work hours. It failed 94-37.

The bill passed the Senate 53-9 on March 11.

Differences between the House and Senate versions may require a conference committee.

★ CRIME

Interstate compact plan

Minnesota would join 25 other states that have adopted an interstate agreement on how to handle those on parole or probation who move between states, under a bill the House passed March 19 by a 131-0 vote.

Rep. Rich Stanek (R-Maple Grove), the House sponsor of the measure (HF2662/SF2611*), said members of the state Department of Corrections and the Bureau of Criminal Apprehension have been looking at the issue and last year recommended joining the interstate compact.

Stanek said it is important for the state to ratify the compact this year so it is among the first 35 states, which get to set the rules for the compact. The compact will not take effect until 35 states sign on.

Once a state ratifies the compact, it will have one vote in a national commission that will oversee the compact and create rules for member states.

According to the Council of State Governments, there are 4 million adults on parole or probation nationwide, and about 250,000 of them cross state lines each year.

At a joint meeting of the House and Senate Crime Prevention committees Feb. 1, Mike McCabe, director of the Midwestern Office of the Council of State Governments, said the current interstate compact was set in place in the 1930s and is outdated. A new compact is needed because of problems with enforcement, he said.

A number of states are out of compliance with the terms of the compact, allowing parolees and probationers to slip through the cracks when moving between states, he said.

Other states were not aware of their obligations as members of the compact or were ignoring their responsibilities. And since the former compact did not include any penalty for states not following the rules, there was little other states could do about it.

Compact provisions would be legally binding and would supercede the state laws of member states.

Sponsored by Sen. Jane Ranum (DFL-Mpls) in the Senate, the bill passed 63-0 in that body March 12 and will now be presented to Gov. Jesse Ventura for consideration.

★ EDUCATION

State mandate opt-out

School districts that don't like certain state mandates, such as staff development requirements or graduation standards for their students, might soon be able to opt out of those provisions.

"It's about communication, flexibility, and accountability," said Rep. Mark Olson (R-Big Lake), sponsor of HF3007 that would allow districts to choose not to adhere to some mandates under certain conditions. He pointed out that mandates, which that do not fit all districts, can be burdensome.

Mark Wolack, assistant superintendent at Minnetonka schools, said the bill is an opportunity to be creative. "We need to look at delivering services differently," he said.

But others, testifying at the March 18 meeting of the House Education Policy Committee, said the issues call for a statewide discussion.

"If a mandate is not needed, let's use the legislative process," said Jan Alswager, representing Education Minnesota. "Would laws really mean anything?"

Rep. Lyndon Carlson (DFL-Crystal) said there isn't a law that could not be challenged in the form of a bill and debated properly.

"This bill is begging for chaos," said Kathy Kosnoff, attorney for the Minnesota Disability Law Center.

Olson explained that under the bill districts couldn't opt out of anything without legislative oversight.

"We need communication from the local level," he maintained.

At least 10 percent of school districts would have to determine a particular state mandate should not apply to them, under the bill. After a minimum of one public hearing, during which a loss of state or federal funds would have to be communicated, a district would adopt a resolution describing reasons for wanting to opt out of the mandate.

The resolution must also illustrate "how the district will meet the objectives of the mandate or why the objectives do not apply to the school district," according to the bill.

The resolution would have to be filed with the state auditor, for a fee of \$75. The state auditor would be required to keep on its Web site a list of all state mandates named in resolutions.

The committee approved the bill, and it will now go to the House Ways and Means Committee.

Health insurance costs

Jessica Hanson, a second-year science teacher in Virginia, Minn., said the inadequacy of her health insurance was part of the reason she looked for a new teaching job after her first year out of school.

Now, after little improvement in the health care plan in her second job, she may go one step further.

"With the current situation of my class sizes reaching 40 students, a failed referendum in my district, and such horrendous health coverage, I am seriously considering leaving the profession," she wrote in a letter to Education Minnesota. The letter was included in a packet submitted to the committee.

The state's largest education organization strongly supports HF1868, approved March 18 by the House Education Policy Committee. The bill would create a three-year pilot project for a statewide health insurance



Darrell Baty, a field representative for Education Minnesota, testifies March 18 in front of the House Education Policy Committee for a bill that would, among other things, establish a pilot project for statewide health insurance for school district employees.

plan for school employees in an effort to recruit and retain teachers like Hanson.

But opponents claim a new state law is not a good solution.

"If you think bigger is better, you've got to be crazy," said Bill Wenmark, president of NOW Care Medical Centers, and a Minnetonka School Board member. "It's about mandates and markets."

Rep. Rob Eastlund (R-Isanti) asked why teacher unions couldn't just create a statewide pool. Darrell Baty, field representative for Education Minnesota, said legislation would be easiest.

Rep. Greg Davids (R-Preston), sponsor of the bill, said it "just doesn't seem right" for insurance premiums for families to be costing around \$1,000 a year. Committee members received letters from teachers who said premium rate hikes have canceled out salary raises.

Premium insurance rates are driven by claims. Proponents said a large pool of people creates more data, resulting in better plan design that would cost less.

The health insurance plan would be governed by a labor-management board that would decide specifications, structure, benefits, and premiums for employees of up to 50 school districts. The board would be required to submit annual reports to the Legislature. Money for the plan would come in the form of a loan from the tobacco endowment fund.

The bill now travels to the House K-12 Education Finance Committee.

★ EMPLOYMENT

Workers' compensation changes

A bill (HF3348/SF3136*) that clarifies workers' compensation provisions was passed 131-0 by the House March 19.

The changes were requested by the Workers' Compensation Advisory Council, according to House sponsor Rep. Bud Nornes (R-Fergus Falls).

Previously, employers or insurers were required to pay \$60,000 to the estate of an employee who has neither left dependents nor designated others to receive death benefits. The bill would require the payment to be made to the estate within 14 days of when the insurer receives notice that a personal representative for the estate has been appointed.

An injured minor or incapacitated person, in former law, was required to have a guardian or conservator if that person received benefits. Now that requirement would only pertain if the total amount of benefits exceeds \$3,000.

The Department of Labor and Industry would no longer have to keep a list of neutral physicians for use in workers' compensation cases. Officials said they want the provision removed because they have never been able to develop the list.

The bill is sponsored in the Senate by Sen. Arlene Lesewski (R-Marshall). It passed 62-0 in the Senate March 11, and now it awaits the governor's signature.

★ ENVIRONMENT

Monitoring water

The full House strongly endorsed a measure March 18 that would allow the state Pollution Control Agency to develop a citizen-based water quality monitoring project.

Only a fraction of the state's lakes and rivers are currently tested for pollutants. The plan is modeled after projects in Missouri and Iowa that have attracted 39,000 and 17,000 volunteers, respectively.

Sponsored by Rep. Chris Gerlach (R-Apple Valley) and Sen. Jane Krentz (DFL-May Township), the bill (HF3275/SF2932*) passed the House 125-7. The Senate approved the measure 59-0 March 19. It now goes to the governor.

The measure would enable the PCA to provide technical assistance and training to volunteers to ensure the data collected has uniform standards.

"This is a solution, not *the* solution," Gerlach said of the state's larger problem of protecting bodies of water from pollution.

He said it would cost about \$5 million to hire state employees for similar work.

Groups likely to be involved in the monitoring project include lake associations, watershed districts, soil and water conservation boards, and youth groups.

The citizen-based water quality monitoring project is part of the Protect Our Waters agenda promoted by the Minnesota Environmental Partnership, a coalition of state environmental advocacy groups.

The bill was amended on the House floor to give the PCA the option of encouraging citizen-based monitoring. Rep. Bob Ness (R-Dassel), who offered the amendment, said the bill would otherwise impose another mandate on the PCA at a time when the agency's budget is already stretched thin.

The bill was also amended to expire June 30, 2005.

Rep. Elaine Harder (R-Jackson) proposed an amendment that would have barred environmental data gathered by volunteers to be used

in lawsuits. The amendment failed 82-50.

Speaking in opposition to the amendment, Rep. Margaret Anderson Kelliher (DFL-Mpls) said the measure would contradict current state law. She also criticized the amendment for implicitly questioning the motives of volunteers. "This is not gotcha water testing," she said.

Rep. Jean Wagenius (DFL-Mpls) called the bill a Band-Aid solution to a much larger problem. She pointed to studies showing that the state lags behind others in the region in assessing water quality.

Further, of the water bodies tested, a significant portion has been found to be too polluted for swimming or fishing, she said.

★ FAMILY

Judicial consistency

**Signed
by
the
governor**
★ ★ ★

A new law will allow all judicial matters of a family to be heard by the same judge or referee in Hennepin and Ramsey counties, effective July 1, 2002.

Gov. Jesse Ventura signed the law March 14.

Since most judicial districts in the state already have one judge assigned to family, probate, or juvenile affairs, the bill only addresses the second and fourth judicial districts, which include the two counties.

The measure does not include juvenile delinquency proceedings.

Rep. Mary Jo McGuire (DFL-Falcon Heights) sponsored the bill in the House, and Sen. Richard Cohen (DFL-St. Paul) was the Senate sponsor.

Notice

The House Public Information Office is working to develop a new district finder so our staff can help members of the public determine what their new districts will be for the November elections. However, we rely on information produced by the Secretary of State and local county auditors. Deadlines for drawing ward and precinct lines are still a few weeks away. As soon as we have that information, we will update our district finders. Until then, we may direct you to your county auditor for further assistance. Law requires that registered voters be informed of their new districts where applicable. In addition, our staff is happy to assist you with determining your current representative, who is elected to serve you through the end of 2002, regardless of whatever new district you may be in. Thank you for your patience.

During a Feb. 21 House Civil Law Committee hearing, Assistant Chief Judge Gregg Johnson from the Second Judicial District in Ramsey County spoke in favor of the bill.

He said the measure came from a pilot program that started in 1996. The program placed all cases such as divorce, domestic abuse or child protection with the same judge or referee.

That allows the family and the judge to become familiar with each other and helps the judge when making decisions about family matters, he said.

Janet Marshall with the Minnesota Supreme Court Administrator's Office said any other county could already handle cases in such a way, and only Ramsey and Hennepin counties are arranged differently.

HF3344*/SF2892/CH242

★ GAME & FISH

Overlimit law changes

A bill stiffening penalties for hunters and anglers who violate the state's game limit laws has passed both the House and Senate and is on its way to the governor for his consideration.

The House passed the measure (HF94/SF222*), sponsored by Rep. Bill Haas (R-Champlin) and Sen. Jane Krentz (DFL-May Township), on March 19 by a 131-1 vote. The Senate backed the bill 61-0 on March 12.

After failing on the House floor last session, Haas said the bill has been revised to accommodate concerns of commercial anglers and aquatic farmers.

Haas said the bill is still aimed at targeting people who flagrantly violate the limit laws — those taking more than 50 fish above the limit, for instance.

Under the bill, a Department of Natural Resources enforcement officer would be authorized to seize boats, motors, and trailers used to take or transport wild animals or fish with a restitution value of more than \$500. The officer would also be directed to seize the hunting licenses of those involved in the incident.

For limit law violators who take wild animals or fish valued at more than \$5,000, the officer would be authorized to seize all of the individual's gaming licenses.

People who illegally take wild animals worth more than \$1,000, as determined by law, would be guilty of a gross misdemeanor.

Those found in violation would be allowed to petition for a court hearing.

People convicted of illegally taking wild animals worth more than \$5,000 would be barred from obtaining a license for five years.

The same restriction would apply to those who unlawfully hunt animals valued at more than \$500 within 10 years of previous license revocations for similar offenses.

Dollar values assigned to game include \$100 for a canvasback, \$1,000 for a trumpeter swan, and \$10 for a yellow perch of at least 10 inches. Other fish are also assigned dollar values based on their size.

The bill, which would take effect March 1, 2003, would exempt minnow dealers and commercial anglers who inadvertently take too many fish and then release them.

★ GOVERNMENT

Restructuring government

The executive branch of government would be restructured, under a bill that passed the House 76-57 on March 21.

HF3270, sponsored by Rep. Philip Krinkie (R-Shoreview), makes \$38.9 million in cuts to

the budgets of the Legislature and various agencies, boards, and commissions to address the state's remaining budget deficit.

The bill would reorganize the governor's cabinet into eight secretary-level positions adopting recommendations from a 1994 report produced by the Minnesota Commission on Reform and Efficiency, ordered by the 1991 Legislature.

The governor's cabinet would consist of secretaries appointed by the governor and approved by the Senate in the areas of administration, commerce and trade, education, finance, health and human resources, natural resources, public safety, and transportation.

State agencies would then be reorganized under the eight secretaries. Krinkie said the change would save \$2 million this biennium and \$10 million in 2004-2005.

The bill would also reduce the Legislature's budget by \$4.6 million in 2002-2003, and \$9.2 million in 2004-2005. Krinkie said that between the first and second phases of budget cuts the total reduction to the Legislature would be around 10 percent.

Under the measure, the secretary of state's budget would be cut \$175,000 and the State Arts Board by \$389,000.

An amendment offered by Rep. Dave Bishop (R-Rochester) that restored a proposed reduction of \$209,000 to the state's Humanities Commission was adopted. The amendment increased the original cut of \$470,000 to the attorney general's office by that amount.

An amendment offered by Rep. Jim Davnie (DFL-Mpls) deleted a section of the bill that would have privatized the inspection process of owner-occupied, single-family buildings.

Davnies said using private inspectors would add inconsistencies to the process because cities can hold their inspectors to a consistent standard. He said potential conflicts of interest of having building owners pay private inspectors would also be introduced into the process.

Krinkie pointed out that the bill would allow the commissioner of the Department of Administration to certify inspectors who are qualified to perform inspections, and it specifies that a municipality may require building owners to only select certified inspectors. He said it was a false assumption that private inspectors would be more corrupt than public inspectors.

CREDIT UNION PROTECTION



PHOTO BY TOM OLMSCHIED

Joe Witt, representing the Minnesota Bankers Association, testifies March 18 before the House Taxes Committee regarding a bill that would adopt a Minnesota credit union protection act.

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

Family member data

Signed
by
the
governor
★ ★ ★

A new law signed by Gov. Jesse Ventura March 14 will provide some privacy and protection to the family members of public employees.

For the most part, public employees' personnel data is public information. Data such as the employee's name, salary, job title, education, and training background is all public.

Effective Aug. 1, 2002, the new law specifies that data pertaining to an employee's dependents is private data.

State law already classifies some information as private, such as information relating to a person who is doing undercover law enforcement work or employee assistance data where the employee seeks counseling in a diagnostic or referral services program.

Rep. Mark Thompson (DFL-New Hope), the House sponsor, said that for safety reasons certain law enforcement personnel data is considered private, but prior law did not provide the same protection to family members.

The new law also transfers duties relating to the administration of the Social Security program for public employees from the Department of Employee Relations to the Public Employees Retirement Association.

Sen. John Marty (DFL-Roseville) was the Senate sponsor.

HF3296*/SF3206/CH243

Signature changes

Signed
by
the
governor
★ ★ ★

A new law signed by Gov. Jesse Ventura March 15 relaxes some of the signature requirements for certain building and construction related documents.

State law previously required any licensed architect, engineer, land surveyor, landscape architect, geoscientist, or certified interior designer to physically sign each plan, specification, plat, report, and other official documents they prepare.

The new law eliminates the signature requirement on documents prepared in those licensed professions that are drafts, or of a preliminary, schematic, or design development nature.

The law still requires a signature on the final version of the documents.

Officials from the state Board of Architecture, Engineering, Land Surveying, Landscape Architects, Geoscience, and Interior Design testified that prior to the law the practice of most in the industry was to only sign the final version of documents.

The new law, effective March 16, 2002, also

adds drawings to the list of documents covered under state law, and specifies that a stamp, printed signature, or electronic signature has the same force and effect as a handwritten signature if it creates an accurate depiction of the original signature.

Rep. Jim Rhodes (R-St. Louis Park) and Sen. Linda Scheid (DFL-Brooklyn Park) were the sponsors.

HF2612*/SF2562/CH245

Filling township seats

Signed
by
the
governor
★ ★ ★

Town boards will be able to fill temporary vacancies, under a new law signed March 14 by Gov. Jesse Ventura.

It will authorize townships to appoint another person to serve in place of a board member who is unable or unwilling to serve after a 90-day period.

Rep. Dennis Ozment (R-Rosemount), the House sponsor, said the issue was brought to him by officials from the Minnesota Association of Townships.

Prior law specified the circumstances under which an elected position could be defined as vacant. Those included the death of the incumbent, the resignation of the incumbent, the incumbent moving out of state, the conviction of an "infamous" crime or violation of official oath, or the official's refusal to take the oath of office.

Effective Aug. 1, 2002, the law allows town boards to declare and fill vacancies when an officer is unable or unwilling to serve in the office or attend board meetings for a 90-day period because of illness or absence.

Under the new law, town boards, by resolution, can declare a vacancy exists and are allowed to make an appointment to fill the vacancy for the remainder of the unexpired term or until the absent member is able to resume duties, whichever is earlier. If the original member is later able to resume his or her duties, the board is required by resolution to remove the appointed officeholder and restore the original member to office.

Sen. Jim Vickerman (DFL-Tracy) was the Senate sponsor.

HF2637*/SF2472/CH241

★ HEALTH

Bioterrorism plan

A bill that would increase the state's ability to respond to a bioterrorism event cleared another House committee.

The House Ways and Means Committee

gave its approval March 15, sending the bill (HF3031) to the House floor.

Sponsored by Rep. Richard Mulder (R-Ivanhoe), the bill would clarify the governor's emergency powers and would outline the rights of citizens quarantined to prevent the spread of disease. The bill is also referred to as the Minnesota emergency health powers act.

Included in the gubernatorial powers would be an expansion of authority to declare emergencies, and the authority to safely dispose of dead bodies. The governor would be required to call the Legislature into session and consult with the commissioner of health before issuing the emergency declaration, unless time is of the essence, in which case the governor must convene the Legislature at the same time an emergency is declared.

The bill's emergency health powers trigger is bioterrorism, defined as "the intentional use or threatened use of a biological agent to harm or endanger members of the public."

It also calls for the commissioner of health to study what statutory changes need to be made to ensure citizen's rights while the state deals with an attack. Federal funds would cover the approximate \$114,000 cost of the study.

An amendment by Rep. Karen Clark (DFL-Mpls) was adopted. The bill states that people isolated or quarantined with communicable diseases must be "monitored regularly to determine if they require continued isolation or quarantine." The amendment would simply require that those persons have "a reliable means to communicate 24 hours a day with health officials and to summon emergency health services."

Its companion bill (SF2669) awaits a hearing by the full Senate. Sen. John Hottinger (DFL-Mankato) is the Senate sponsor.

Releasing contact lens prescriptions

A bill that requires eye doctors to provide patients with their prescriptions for contact lenses is on its way to the governor.

The House voted 127-0 March 19 to pass a bill (HF2603/SF2627*), sponsored by Rep. Erik Paulsen (R-Eden Prairie) and Sen. Sheila Kiscaden (R-Rochester). The Senate passed the bill 63-0 on March 12.

The bill would require any professional performing an eye exam, such as an optometrist or physician, to provide patients a copy of their prescription after an exam and fitting. The eye doctor, however, would be allowed to refuse to provide the prescription until the patient pays for the services.

The prescription would be valid for two years unless a different expiration date is

warranted by a patient's eyesight.

The bill also calls for an eye doctor to promptly respond to requests to verify a patient's prescription from other physicians, optometrists, or contact lens retailers.

It would also bar eye doctors from substituting a different contact lens type than the one ordered on the prescription. Further, optometrists would not be allowed to dispense contact lenses beyond the prescription's expiration date.

Other prohibited conduct outlined in the bill includes the following:

- requiring a patient to purchase contact lenses before releasing the prescription;
- charging a fee for release of the prescription; and
- prescribing a specific brand of contact lenses that could only be dispensed by the optometrist who conducted the eye exam.

An optometrist's failure to comply with provisions of the bill would warrant disciplinary action by the state Board of Optometry.

HIGHER EDUCATION

MnSCU contracts

As part of the state's budget reduction law, groups in the state's executive branch are prohibited from entering into contracts for professional and technical services before July 1, 2003.

The law does not include positions that relate to the public health, welfare, or safety that threatens government workings, and positions entirely paid for with federal funds.

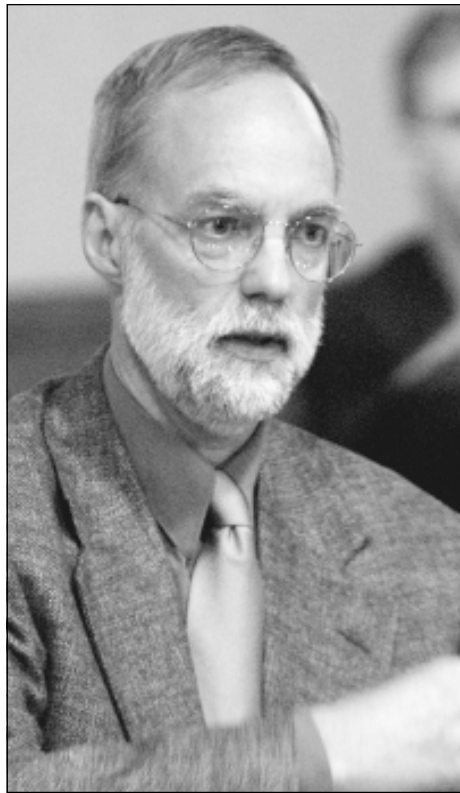
But the law also inadvertently affects certain activities at college campuses in the state.

A plan sponsored by Rep. Marty Seifert (R-Marshall) would excuse one group of Minnesota State Colleges and Universities (MnSCU) contracts from the law.

HF3690 would exempt "a Minnesota State Colleges and Universities contract paid for from student fees or funds from private sources." In a three-day span it was approved by the House Higher Education Finance Committee, the House Rules and Legislative Administration Committee, and the House Ways and Means Committee. It awaits a vote by the full House.

In particular, the bill addresses school functions paid for out of student fees.

Steve Frantz, MnSCU system director for disability and student life, spoke of things that would likely not happen unless this proposal is enacted. They include speakers and photographers at graduation, elders that lead drum



Steve Frantz, Minnesota State Colleges and Universities system director for disability and student life, testifies March 18 before the House Higher Education Finance Committee in support of a bill that would exempt MnSCU contracts paid for from student fees or private funds from the statewide contract moratorium.

and pipe ceremonies, guest conductors for arts and music festivals, bands for school dances, officials for some sporting events, and the presence of some specialized medical personnel for health services, such as tuberculosis screening.

He said schools could pay for those services with general funds, but instead set up a fee structure.

"All graduation services on my campus (Mesabi Range Community and Technical College) are paid for by student fees," said Brad Krasaway, president of the Minnesota State College Student Association.

A March 5 letter to legislators signed by eight members of the St. Cloud State University Program Board states: "The University Program Board processes at least 150 contracts per year and these contracts are what allow the university to bring performers and speakers to our campus and community.

"Freezing our budget causes us to halt our programming, therefore preventing the co-curricular events that provide students with both educational and entertainment opportunities."

The bill would take effect the day following enactment.

Seifert testified to the rules committee that

MnSCU applied for three broad waivers allowed under the new law, but all were denied by the Department of Administration.

A companion bill in the Senate (SF3444), sponsored by Sen. Tony Kinkel (DFL-Park Rapids), has been referred to the Senate Education Committee.

Agent bill advances

A plan that would force agents wishing to represent collegiate student-athletes to register with the state is headed for the House floor.

HF2719, sponsored by Rep. Peggy Leppik (R-Golden Valley), was approved by the House Ways and Means Committee March 15.

The bill would enact the Uniform Athlete Agents Act that was drafted by the National Conference of Commissioners of Uniform State Laws. The plan was designed to standardize state regulations that will govern agents conduct with student-athletes.

Under the bill, which would take effect Jan. 1, 2003, an agent wanting to represent a student-athlete in negotiating a professional sports contract must first register with the state Department of Commerce. If a student-athlete initiates discussion, the agent must submit an application within seven days.

Agents violating this provision could be fined up to \$25,000 per incident.

The registration fee would be \$1,000 and must be renewed every two years. Parents wishing to represent their child would be exempted from the fee. Leppik said the fee would be more than adequate to cover administration costs.

"This bill earns money for the state," she said.

The bill also includes language warning student-athletes that by signing with an agent they may lose their eligibility. It also would allow student-athletes to cancel a contract within 14 days of signing it, but notes that a cancellation may not reinstate one's eligibility.

During Feb. 4 testimony before the House Higher Education Finance Committee, Frank Kara, compliance director at the University of Minnesota, said the topic is "not a huge problem" at the university, but is becoming more of an issue. He said the university supports the plan, as does the National Collegiate Athletic Association (NCAA).

A companion bill (SF2827) awaits action by the full Senate. It is sponsored by Sen. Deanna Wiener (DFL-Eagan).

★ INSURANCE

Benefits for accident victims

A bill passed by the House would clarify that auto accident victims are entitled to receive no-fault medical benefits.

The bill (HF1413/SF1226*), sponsored by Rep. John Tuma (R-Northfield) and Sen. Dallas Sams (DFL-Staples), received a 130-0 vote on the House floor March 19.

Current statute does not clearly state that these victims can receive full medical benefits for necessary care without the restrictions of managed care requirements.

The bill would prohibit health insurance companies from contracting to provide managed care services to no-fault claimants.

Victims of accidents “have no idea they are being pushed into managed care provisions,” Tuma said.

In past years bills have been introduced to allow auto insurers to use managed care, but none have become law.

Tuma said the bill is supported by several medical organizations that want to provide quality care to patients.

The Senate passed the bill March 13 on a 61-0 vote.

The bill awaits the signature of Gov. Jesse Ventura.

Health premium change

The House backed a bill March 19 that would cap health insurance premiums for small businesses. The vote was 106-25.

Under HF2988, sponsored by Rep. Bill Haas (R-Champlin), insurance providers would be barred from raising insurance premiums more than 15 percent plus the trend in rate increases.

Haas, an employee benefits broker, said the measure would help control escalating health insurance costs. Employers around the state have seen rate hikes as high as 40 percent in the course of a year. Under the bill, the rates could be limited to around 27 percent for some small employers.

The House approved the rate cap as an amendment, which passed 97-35.

The bill would also lower the loss ratio standard for insurance providers to 60 percent, meaning the companies must pay out at least 60 cents in claims for each premium dollar received.

Rep. Wes Skoglund (DFL-Mpls) spoke in opposition to lowering the standard, arguing it would increase insurance company profits while squeezing more Minnesotans off of health plans.

Furthermore, the bill would allow insurance providers to change insurance rates on the same day it reports the change to the Depart-

ment of Commerce under a “file-and-use” model. The department, however, will still be authorized to reject the change within 60 days.

Under current law, the department is required to pre-approve any rate change.

Rep. Rob Leighton (DFL-Austin) spoke in opposition to the changes, saying it would allow insurance companies to dramatically increase rates without Department of Commerce oversight.

“This is a very bad idea,” Leighton said. “It’s going to take away consumer protections.”

In response, Rep. Tim Wilkin (R-Eagan), who has worked as an insurance underwriter, said the “file-and-use” system encourages market competition.

Haas also said the overall intent of the bill is to draw more insurance carriers to the state.

A companion bill in the Senate (SF3023), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action on the Senate floor.

Liability clarification

**Signed
by
the
governor
★ ★ ★**

Gov. Jesse Ventura signed a bill March 14 that in essence changes a single word in the state’s insurance laws.

The legislation clarifies state law dealing with automobile liability coverage.

Rep. Greg Davids (R-Preston), who sponsored the measure in the House, said the new law is a result of a situation where a 16-year-old driver borrowed a neighbor’s car with permission and was involved in an accident. The driver did not have insurance, but Davids said that usually the driver would have been covered by her parent’s liability coverage.

Prior law stated that in such an incident the insurance company would be required to pay damages arising out of the ownership, maintenance, or use of “a” motor vehicle.

Two lower district courts agreed that the insurance company was obligated to pay the damages under the previous law. But the state Supreme Court overturned the lower courts’ rulings and said the statute was vague.

Davids said that in its majority opinion the court stated the Legislature could clarify its intent by using the word “any” instead of “a.” “In my opinion ‘a’ vehicle would mean ‘any’ vehicle,” he said.

The law changes the statute to read “any,” and also further clarifies intent by adding a clause that states “including a motor vehicle permissively operated by an insured.”

Sen. Linda Scheid (DFL-Brooklyn Park) was the Senate sponsor.

The law is effective March 15.
HF2783*/SF2671/CH234

★ LOCAL GOVERNMENT

Appointed county positions

Carlton and Pine counties would be added to the list of counties changing elected positions to appointed ones, under a bill headed to the governor.

HF2753/SF2590*, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Becky Lourey (DFL-Kerrick), passed the House 95-35 March 19, and the Senate 48-8 March 4.

It would allow the Carlton County board, by a resolution approved by 80 percent of its members, to change the recorder position from elected to appointed.

The bill would also permit Pine County to use the same process to combine the assessor and recorder positions into one and make the newly created position appointed rather than elected.

The bill was the third of the March 19 floor session granting authority to counties to change elected positions to appointed ones. Earlier in the day bills for Polk (HF2652/SF2434*) and Steele (HF3074/SF2834*) counties passed the House.

Rep. Carol Molnau (R-Cologne) questioned whether voters of the counties were given the chance to vote on whether the positions should change.

Similar to legislation passed in previous years, each of the bills granting counties the authority to change elected positions into appointed ones contains a reverse referendum provision that would allow voters to petition to request a referendum on the issue.

Hilty said the increasingly technical duties of the positions are reflected in the number of bills that have come forward on behalf of counties.

“If there was a number of people standing in line for county recorder (positions) than we wouldn’t be seeing these bills year after year,” he said.

Appointed position

The Steele County recorder would become the latest county official to join the list of appointed rather than elected positions, under a measure passed by the House March 18. The vote on the bill was 93-37.

The bill (HF3074/SF2834*), sponsored by Rep. Connie Ruth (R-Owatonna) and Senate Minority Leader Dick Day (R-Owatonna), would allow Steele County to change the position to an appointed one by a four-fifths vote of the county board. The bill would also require the county to provide voters an opportunity for a reverse referendum on the issue.

Last year the Legislature approved similar

measures for Cass, Goodhue, Hubbard, and Wright counties. Several other counties have received similar authority in previous years.

State law allows all the state's counties to change the positions of auditor, treasurer, sheriff, and recorder to appointed rather than elected by a referendum.

Ruth said county officials brought the issue to her. Officials testified in the House Local Government and Metropolitan Affairs Committee hearing Feb. 20 that the recorder position increasingly has become more technical in nature. The position involves decisions about office operations but has no broad county policy-making authority.

The Senate passed the bill 48-7 March 4. It now awaits the signature of Gov. Jesse Ventura.

Polk positions

Candidates for the county recorder and auditor-treasurer positions in Polk County would be able to put away their election brochures under a measure that passed the House March 19 by a 95-35 vote.

The bill (HF2652/SF2434*) sponsored by Rep. Bernie Lieder (DFL-Crookston) and Senate Majority Leader Roger Moe (DFL-Erskine), would allow the county board, by an 80 percent vote, to change those two positions from elected to appointed.

Lieder said the bill is similar to another bill (HF3074/SF2834*) that passed the House the previous day allowing Steele County to appoint its recorder pending approval by the county board.

Because the duties of the positions are becoming more technical, county officials requested the authority to appoint people to the jobs.

Like previous legislation allowing other counties to appoint certain positions, the bill contains a provision that would require the county to provide for a reverse referendum to allow voters to restore the elected nature of the position by a petition signed by at least 10 percent of the registered voters of the county.

The Senate passed the bill Feb. 11 by a 63-1 vote. It now awaits the governor's signature.

Commission expansion

Signed
by
the
governor
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The second public utilities commission member expansion bill of the 2002 session was signed into law by Gov. Jesse Ventura March 14.

The new law increases the Delano Public Utilities Commission from three members to five. Ventura signed a similar law regarding the Shakopee Public Utili-

ties Commission one week earlier.

The city of Grand Rapids received the same authority from the Legislature in 1999.

Public utility commissions are responsible for the management of publicly owned water and electric utilities. The new law maintains staggered three-year terms for the Delano commission and prohibits more than one city council member from serving on the commission at any time.

Rep. Steve Smith (R-Mound), the House sponsor, said that since the commission was formed in 1936, the city's population has quadrupled and the commission's budget has increased 800 percent. The current budget is around \$2.8 million, which is 50 percent higher than the city's general fund.

Sen. Gen Olson (R-Minnetrista) sponsored the measure in the Senate.

The new law is effective upon local approval.
HF3202*/SF2801/CH238

RECREATION



Stadium plan heads to the floor

The latest House proposal to help finance a stadium for the Minnesota Twins is a hit with the team's president.

Jerry Bell told the House Ways and Means Committee March 20 that the amended bill, approved by the committee 22-6, is the first proposal in six years that the team thinks will work.

As it came to the committee, the bill (HF2214), sponsored by Rep. Harry Mares (R-White Bear Lake), would divide construction costs equally between the team and revenue bonds issued by a host city. The proposal called for a variety of taxes including a ticket tax, a hotel/motel tax in the community, and a statewide sales tax on newspapers and magazines to pay off the bonds.

The committee adopted an amendment offered by Rep. Dan McElroy (R-Burnsville) that incorporated a proposal put forth by Gov. Jesse Ventura's administration, developed by Peter Sausen, an assistant commissioner with the Department of Finance.

Under the amendment, the state would issue up to \$330 million in revenue bonds to make a loan to a host city. The Twins and other private sources would be responsible for contributing \$165 million up front that would go into a gift fund.

The interest from the gift fund, estimated to be around 8.5 percent, would go to paying off the bonds. The team would also work out an arrangement with the host city to make annual \$10 million payments to pay off the loan.

Under the proposal the host city would be

authorized to impose hospitality and hotel and motel taxes of up to 5 percent, and a parking surcharge to pay off the loan.

The committee turned down several other amendments to the bill, including one offered by Rep. Lyndon Carlson (DFL-Crystal) that would have helped the cause to build a stadium in Minneapolis.

His amendment would have changed provisions that specify the team partner with a city to allow the team to partner also with a "local government unit."

McElroy spoke against the amendment saying that under state law the term local government unit includes bodies such as the Metropolitan Council and the Metropolitan Mosquito Control Board. He is also concerned about allowing a county to impose a tax on a single city within its borders.

Hennepin County Board Chair Mike Opat said there is precedent for taxing cities differently, and that the county already imposes a tax on its suburbs but not on the city of Minneapolis to pay for the new downtown library.

The committee also voted down an amendment offered by Rep. Richard Mulder (R-Ivanhoe) requiring the state to provide the same financial package to every new or expanded business in the state. Mulder said that the contributions made by small businesses in the state are more important than Major League Baseball.

McElroy said the state already has programs to assist small businesses and that no other business in the state has 1.6 million people listening on radio, 700,000 watching on TV, or has an anti-trust exemption granted by Congress limiting the number of entities allowed to participate.

The bill now goes to the House floor.

RETIREMENT



Titles may be retained

Signed
by
the
governor
★ ★ ★

Gov. Jesse Ventura signed a new law March 14 allowing retired engineers to use their profession's title.

Rep. Rich Stanek (R-Maple Grove), the House sponsor, said the issue was brought to him by a constituent but applies to people throughout the state.

To ensure public safety and to minimize confusion due in part to deceptive advertising, current licensing laws for people who practice architecture, landscape architecture, professional engineering, professional geoscience, land surveying, and interior design prohibit the use of the titles unless the person is properly licensed and certified.

Those professions are licensed by the state Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design. The 21-member board is appointed by the governor and consists of members of the various professions.

The law specifies that individuals who are retired from one of the professions will be restricted from using the title.

Stanek said that his constituent, who was an engineer for more than 40 years, does a large amount of volunteer work at schools and various other functions and would like to refer to himself as a retired engineer.

The Senate sponsor was Sen. Warren Limmer (R-Maple Grove).

The new law is effective Aug. 1, 2002.
HF2629*/SF2913/CH239

★ SAFETY

Anti-terrorism plan passes

After about five hours of floor debate, the House voted 94-39 March 20 to pass an anti-terrorism bill designed to help the state prevent and respond to terrorism.

Rep. Rich Stanek (R-Maple Grove), a Minneapolis police captain and sponsor of HF2622, said the package would help protect Minnesota.

During the floor session, legislators offered numerous amendments to the bill, most of which were not adopted.

Among the few substantive changes that were adopted was an additional section requiring those who fly crop-spraying planes to undergo a criminal background check.

A section making it a crime to trespass on the roof of a school building was also removed from the bill.

HF2622 would establish stricter rules for biological agents, make it more difficult to get a Minnesota driver's license, and would require a color-coding of driver's licenses of non-citizens in the state temporarily. It would also make it illegal to trespass on non-public areas of critical public service utilities, such as power plants and rail yards.

Further, it would allow law enforcement to more easily receive a permit to use a roving wire tap, and would allow Internet service providers to hand over stored information if needed to protect life.

The bill was amended in the House Ways and Means Committee March 18 to use \$22 million of the state's anti-tobacco settlement fund to help local law enforcement agencies prepare and handle terrorism, a sore spot for some legislators who felt the money should instead be taken from the state's general fund.

An amendment to change the funding source failed on the House floor 71-62.

The Ways and Means Committee also removed a portion of the bill that would have allowed Minnesota drivers to purchase "United We Stand" license plates, with a portion of the proceeds going to the federal government to pay for efforts related to fighting terrorism.

Other rejected changes to the bill include a plan to remove the distinguishing color and marks on the driver's licenses of non-citizens, and a plan to require all critical public facilities covered by the bill to have a no trespassing sign posted.

Many members were especially worried that marking the driver's licenses of non-citizens would lead to discrimination.

Opponents favored an earlier version of the bill that required non-citizen's licenses to be marked in code on the back of the license.

Rep. Wes Skoglund (DFL-Mpls), whose proposal to remove the color-coding failed 70-62, said there is no reason to place that information on the front of the license.

"We live in a racist society," said Rep. Carlos Mariani (DFL-St. Paul). "When you put an identifying mark on someone, you're

encouraging folks to bring out the worst in human behavior."

Rep. John Tuma (R-Northfield), chair of the House Crime Prevention Committee, said the bill was well debated in committees and tries to balance the rights of citizens with the need to protect citizens.

The Senate has developed its own version of an anti-terrorism package (SF2683). It awaits a hearing by the Senate Finance Committee.

Collecting fire funds

A House committee kept alive a bill that would help municipal or volunteer fire departments collect money.

HF211, sponsored by Rep. Dennis Ozment (R-Rosemount), would require the state transportation commissioner to set up a vehicle fire revolving account in the general fund.

The bill was passed March 15 by the House Ways and Means Committee and now heads for the House floor.

Money received in reimbursements for extinguishing vehicle fires in trunk highway rights-of-way or interstate highways would be put into the account. A maximum of \$300 would then be appropriated to make reimbursements to departments for their costs, if the department is not reimbursed elsewhere.

"Basically, this creates a pass-thru account," Ozment said.

The fund would be a last resort after first going to the person for the money, and then the county auditor where the person lives through a levy placed on the driver's property.

"We'd prefer departments get their money from the people, their insurance company, or the county," Ozment said.

John Dooley, an attorney with the Minnesota Association of Townships, said it generally costs \$300 to \$500 to extinguish a car fire. Estimates show that about 10 percent of fires remain unpaid.

He previously told the House Transportation Finance Committee that officials hope 50 percent to 70 percent of unpaid fees can be collected through county auditors without using the new account.

★ TAXES

Meeting federal guidelines

In signing the federal "Victims of Terrorism Relief Act of 2001" President George W. Bush said that although the government cannot take away the pain and sorrow of the families that lost loved ones Sept. 11, providing financial relief is an important example of national unity and resolve.

MISS MINNESOTA



PHOTO BY TOM OLMSCHIED

Miss Minnesota Kari Knuttila of Detroit Lakes attends the March 19 session of the House where she was introduced by Rep. Roxann Daggett.

The federal law waives any income tax obligations on wages earned by terrorism victims in the year of their death, or in the preceding year. The law also applies to victims of the ensuing anthrax attacks and victims of the 1995 Oklahoma City bombing.

The House Taxes Committee heard a bill (HF3594) March 18 that would conform the state's tax laws to the federal act. Rep. Ron Abrams (R-Minnetonka), committee chair and the bill's sponsor, said the measure would be considered for possible inclusion in a potential omnibus tax bill.

"Unfortunately we live in a world where these provisions may have to be used by Minnesotans," Abrams said.

The costs of the bill would be negligible according to the Department of Revenue. John Haugen, an attorney with the department, said the federal law also provides estate tax rate relief and makes nontaxable the settlement and charitable funds, provided by groups like the American Red Cross to the victim's families.

Neither the federal or state benefits would apply to perpetrators of the attacks.

Previous to the passing of the federal law, similar tax breaks were provided to military personnel killed in active duty and to civilian employees killed in a combat zone.

★ TRANSPORTATION

Gas tax for construction

A plan to increase the state's gas tax progressed March 19 when the House Capital Investment Committee approved HF3364 and referred it without recommendation to the House Taxes Committee.

Rep. William Kuisle (R-Rochester), the bill's sponsor, proposed an amendment clarifying that the gas tax would not take effect until 2003 because of administrative requirements of the Department of Revenue in order to implement the tax. The committee adopted the change.

The plan calls for the state revenue commissioner to issue \$1.25 billion in bonds over 10 years to pay for construction projects in the state. It also creates a major project account in the state's trunk highway fund where the bond proceeds would be placed.

The revenue commissioner would then raise the gas tax as needed each year to repay the money borrowed.

Kuisle said the plan would require about a 0.1-cent increase in 2003. The additional tax would increase to a peak of about 4.9 cents in 2012 before decreasing again.

Under the plan, money in the fund would be split three ways in 2003. One-third would go to improve at-risk interregional highways

for corridors outside the Twin Cities metropolitan area, one-third to alleviate bottlenecks in the metropolitan area, and one-third to improve general highway safety and capacity.

In fiscal year 2004 and subsequent years, 5 percent of the bond money would be spent on highway-related improvements to transit. The remaining 95 percent would be split between at-risk interregional corridors outside the Twin Cities metropolitan area, and bottleneck reduction within the area.

Some committee members said they would not support the bill because it doesn't do enough for transit.

Rep. Tom Osthoff (DFL-St. Paul) said it is hard to vote for a bill that does not include balanced funding for roads and transit.

Funds for transit were increased last year and the new money is needed for roads, said Rep. Carol Molnau (R-Cologne), chair of the House Transportation Finance Committee.

Planning ahead

The House agreed March 18 to regulate an emerging form of personal transportation known as the Segway.

Three consumer models of the transportation machines went on sale through an online auction Feb. 19, and are expected to be

available for sale in retail outlets later this year for about \$3,000.

Rep. Tom Workman (R-Chanhassen), the sponsor of HF2882, said the bill would limit the use of the Segway to sidewalks and bike paths in the state. Although the bill also states that the devices can only travel 15 mph, that is the machine's top speed anyway, Workman said.

Some members said it is not necessary to regulate the devices, since they will not be available at a reasonable price for most consumers for years.

Rep. Betty Folliard (DFL-Hopkins) opposed the bill, noting that it could be dangerous to have the machines on crowded bike paths around lakes in the Twin Cities metropolitan area.

The Segway Human Transporter, a cross between a scooter and a vehicle, is described by the company's Web site as, "self-balancing, electric-powered personal transportation machines."

The electric devices carry one person and react to the rider's movements. They do not have brakes or a steering wheel, but respond to the rider's balance. Leaning forward slightly will make them go, leaning back slightly will make them stop.

HF2882, which passed 105-22 in the House, passed the Senate on March 21 by a 53-4 vote.

It is sponsored by Sen. Satveer Chaudhary (DFL-Fridley) and now goes to the governor.

PREPARED TESTIMONY



PHOTO BY TOM OLMSCHIED

During her March 18 testimony before the House Taxes Committee, Sandy King holds up a package of beef jerky prepared by her employer, Jerry's Enterprises Inc., as an example of a prepared food item that should be exempt from sales tax. Greg Endres of Greg's Meat Processing, also supports the bill. The committee tabled the bill.

Minnesota State Agencies

(Area code 651)

Administration	296-6013
Agriculture	297-2200
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3644
Employee Relations	297-1184
Job Information	296-2616
Finance	296-5900
Health	215-5803
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	296-6117
Labor and Industry	296-6107
Military Affairs	282-4662
Natural Resources	296-6157
Pollution Control Agency	296-6300
Public Safety	296-6642
Driver and Vehicle Services ...	296-6911
Fire Marshal	215-0500
Alcohol and Gambling Enforcement Division	296-6979
State Patrol	297-3935
Public Service	296-5120
Revenue	
Taxpayer Assistance	296-3781
Toll Free	1-800-652-9094
Trade and	
Economic Development	297-1291
Office of Tourism	296-5029
Transportation	296-3000
Veterans Affairs	296-2562
State Information	296-6013



How to get here

Location

The Capitol complex is north of I-94, just minutes from downtown St. Paul. It is accessible from the east and west on I-94, and from the north and south on I-35E.

I-94 eastbound: Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right. Go one block, cross Rice Street, and enter Parking Lot D.

I-94 westbound: Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right. Go one block, cross Rice Street, and enter Parking Lot D.

I-35E northbound: Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right. Metered parking spaces line both sides of the boulevard.

I-35E southbound: Exit at University Avenue. Turn right. Go to Rice Street and turn left. Go one block and turn left to enter Parking Lot D.

Visiting the Minnesota State Capitol complex can be a rewarding and educational experience for everyone. There are buildings to explore and tours to take almost any time you choose to visit. And when the Legislature is in session during the first part of every year, there are floor sessions to observe, committee meetings to attend, and legislators to meet. Remember that this is your state Capitol, and you are always welcome.

Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot D, next to the State Office Building off Rice Street on Aurora Avenue; Lot F, directly behind the Transportation Building; Lot K, across from the Armory on Cedar Street (enter from 12th Street); and on the orange level of the Centennial Office Building Ramp at Cedar Street and Constitution Avenue. All-day metered parking is available in Lot Q. Capitol Security personnel will issue tickets for expired meters.

All-day parking permits may be purchased for \$3.50 from Plant Management on the third floor of the Ford Building. Cash or checks are accepted and correct change is appreciated. For more information, call (651) 297-3993.

Outdoor handicapped parking is available in Lot N, which is on the northwest side of the Capitol, and in Lot F.

Indoor handicapped parking is available on the lower level of the State Office Building Ramp (use the call box at the ramp entrance to gain entry); on the blue level of the Centennial

Office Building Ramp; and on the entry level of the Administration Building Ramp (two stalls).

The main handicapped entrance to the Capitol is on the northwest side of the building, just off Lot N; there also are drop-off entrances on the south side under the front steps and on the northeast side of the building.

Since parking is limited during legislative sessions, busing may be easier. Freeway express bus service is available. Bus number 94B takes you to the Capitol and the State Office Building. Call the Transit Information Center at (651) 349-7000 for schedule and route information.

What to do

Tours

Tours of the Capitol are offered through the Capitol Historic Site Program of the Minnesota Historical Society.

Tour guides lead the 45-minute tours on the hour Mondays through Fridays between 9 a.m. and 5 p.m. (last tour leaves at 4 p.m.); Saturdays between 10 a.m. and 4 p.m. (last tour leaves at 3 p.m.); and Sundays between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours are free of charge and begin at the Capitol's information desk at the end of the corridor to the right of the main entrance. Brochures in about 20 foreign languages also are available there.

Tour participants may request customized tours that emphasize either the building or state government.

Historical society officials ask that groups of 10 or more call at least two weeks in advance to reserve a tour time.

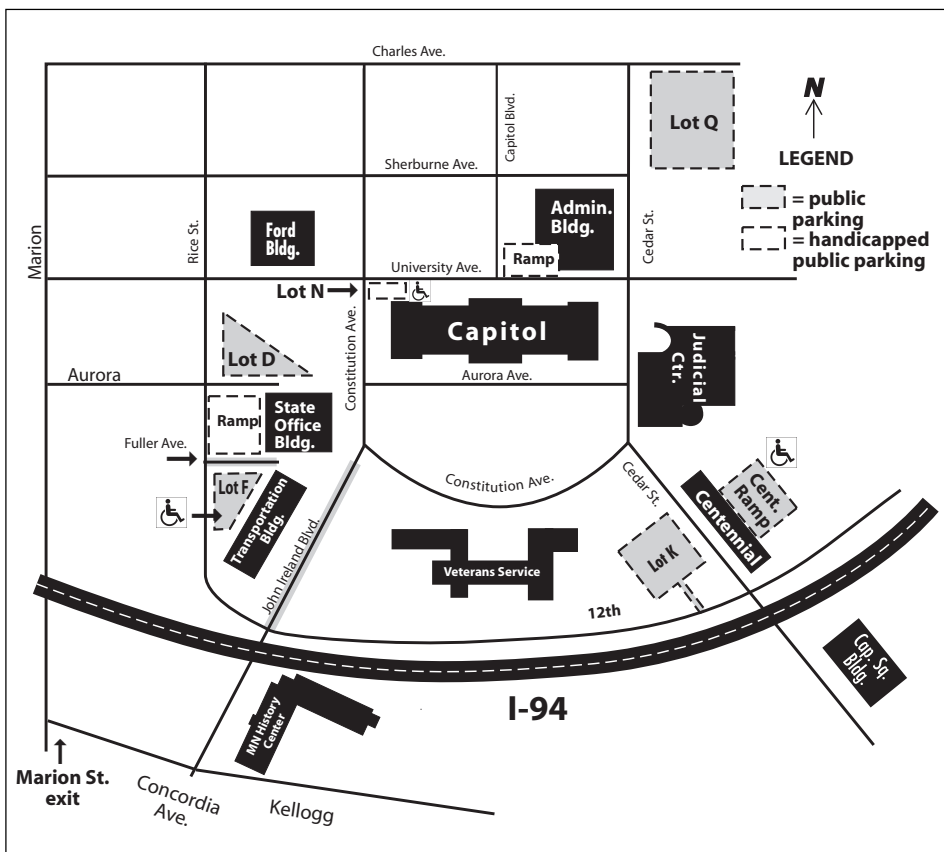
The society offers "Voice of the People: Your Role in Minnesota Government," a half-day session for students in grades 9-12.

Also, special tour events are scheduled monthly throughout the year. Some of these events entail admission fees; others are free. A special events guide is available upon request.

For more information about the tours or to reserve a time, call the Capitol Historic Site Program, (651) 296-2881.

Legislative sessions

Members of the House of Representatives and the Senate debate bills when the Legislature is in session.



At the beginning of a legislative session, the pace of floor sessions is generally slow as new bills are assigned to committees and non-controversial items are discussed. At about the session's midpoint, however, the legislative pace quickens.

The House usually meets at 3 p.m. Mondays and Thursdays, and the Senate meets at 11:30 a.m. Mondays and at 9 a.m. Thursdays during the first few weeks. House floor sessions are scheduled for the afternoon because committees meet in the morning and early afternoon. As the session nears the end, however, both bodies may meet several times a day, often into the night.

All House and Senate floor sessions are open to the public. Visitors interested in observing these sessions may call the House Chief Clerk's Office, (651) 296-2314, or Senate Information, (651) 296-0504, with questions. Spectators may sit in the galleries of either chamber.

Committee meetings

Visitors wanting to attend a committee meeting may call the committee hotlines for prerecorded messages with the meeting times and agendas for each day: House, (651) 296-9283; Senate, (651) 296-8088. Printed agendas for the week also appear in each issue of the *Session Weekly* and the *Senate Briefly*.

Committee meetings are open to the public. When a public hearing is scheduled, the committee may listen to comments from the audience (when time permits) in addition to the scheduled speakers. Committees have different policies on hearing testimony depending upon their size and workload. Informational handouts that committee members receive during meetings or hearings are considered public information and are available to the audience on a first-come, first-served basis.

Major proposals often have several public hearings so committee members may listen to all arguments for and against a bill.

Each committee has a chair, vice chair, administrator, and legislative assistant. A list of committees and members is available in the House Public Information Office in Room 175, State Office Building, or the Senate Information Office in Room 231, State Capitol.

Groups and individuals wishing to testify before a committee should call the appropriate committee's legislative assistant well in advance of the meeting and ask to be placed on the agenda. Committees prefer requests one week in advance but will accept later notification when unexpected issues appear on the committee schedule. A brochure containing tips on testifying at legislative committee hearings is available from the House Public Information Office.

Dining

Cafeterias are located in most state buildings. The small State Office Building cafeteria is usually open only when the Legislature is in session. Large, year-round cafeterias are available in the State Capitol and the Transportation Building.

Also, there are many restaurants within walking distance. On Rice Street are the Lagoon Vietnamese Restaurant, White Castle, and El Bravo Mexican Restaurant. On University Avenue, you will find McDonald's, Burger King, Mai Village, and other restaurants. There also are dozens of restaurants only minutes away in downtown St. Paul. Bus rides downtown cost 50 cents. You can catch the bus on Constitution Avenue.

Group visits

Sometimes groups plan a "legislative day" at the Capitol in order to express a particular viewpoint to legislators.

Rooms for special conferences or speakers can be reserved by calling the State Office Building room scheduler at (651) 296-5408 or the Capitol room scheduler at (651) 296-0866.

If group members want to meet with their individual legislators or testify before a committee (see "Committee meetings"), arrangements should be made at least a week in advance.

Often such groups have members wear a distinctive name tag or badge to indicate their concern about a particular issue.

Groups planning a trip to the Capitol should remember that seating is fairly limited in some committee rooms — particularly when the topic is controversial.

About security

Visitors to the Capitol need not be concerned or postpone a visit following Sept. 11.

While security has been tightened, measures may not be obvious to the casual visitor. Remember only that you may need to identify yourself to a security officer stationed at a public entrance.

E-mail schedules

Anyone with e-mail can receive both House and Senate committee schedules. To sign up to receive the House committee schedule, 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.

You can also sign up for the Senate schedule on the Internet. Point your Web browser to <http://www.senate.leg.state.mn.us/schedule/listserv.htm> and fill out the subscription form.

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* newsmagazine, 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 to: <http://www.leg.mn>

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, available on local cable systems. Internet users can also view committee hearings and floor sessions via the House TV Web site. Refer to the site at <http://www.house.mn/htv/liveweb.htm> for more information.

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

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.

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.

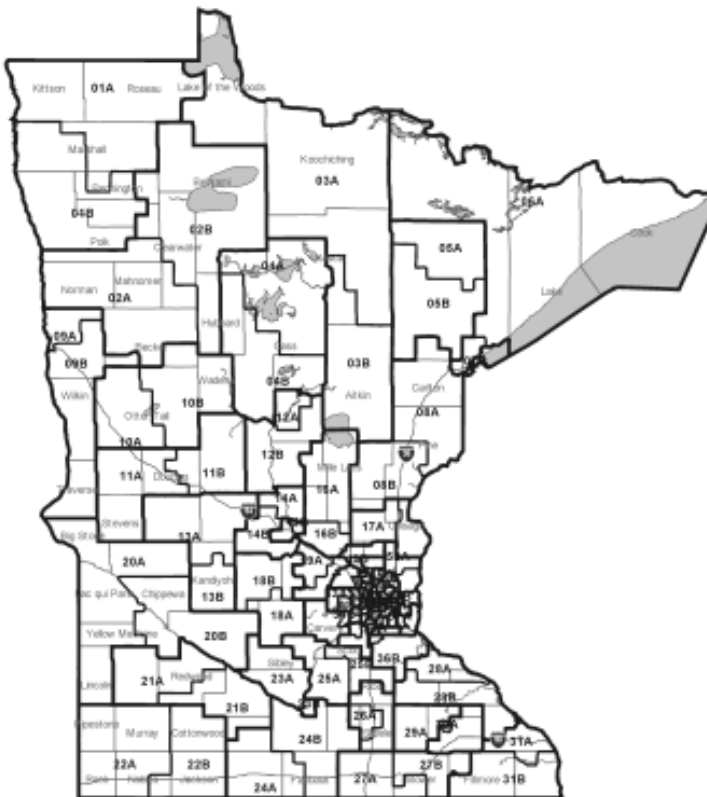
Senate Media Services

B-44 State Capitol (651) 296-0264

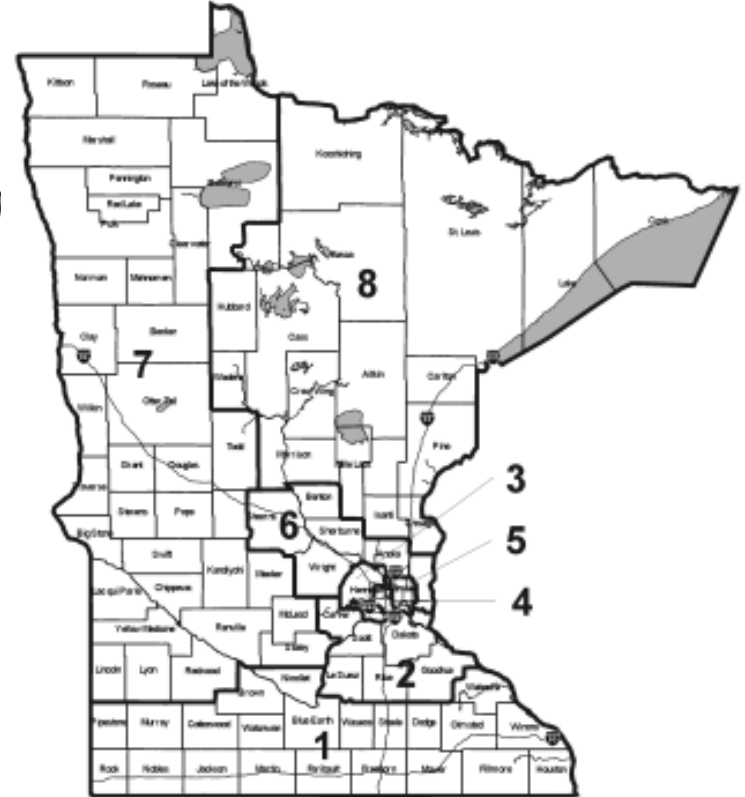
Senate Media Services, a bipartisan office, produces television programs, multi-media productions, scriptwriting, photography and graphics. It offers live coverage of the Senate floor sessions and some committee hearings.

2002 Legislative and Congressional Boundaries

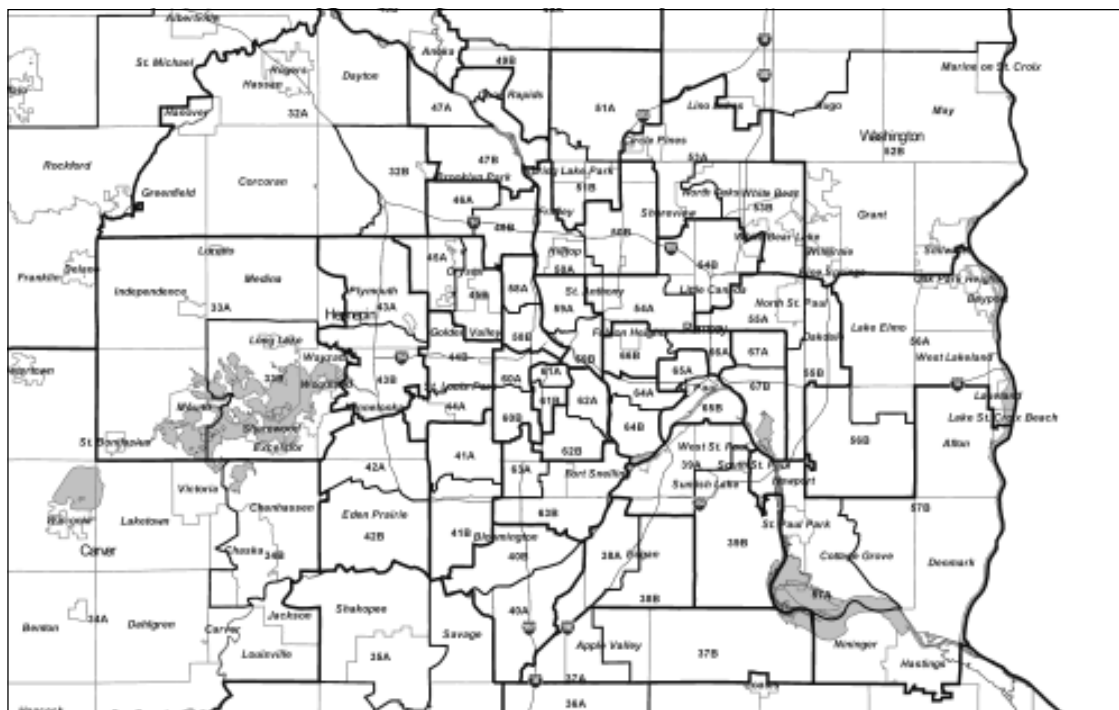
State Legislative Districts



Congressional Districts



Metro State Legislative Districts



State contract dilemma

House committee approves agreements with state workers minus same-sex domestic partner benefits

By DAVID MAEDA

The contracts negotiated between the state and the two largest public employee unions would be rejected, under a bill approved by the House Ways and Means Committee March 20.

However all provisions of the contract, except the extension of benefits to same-sex domestic partners, would be covered by law under the measure.

The bill (HF3575/SF3208*), sponsored by Rep. Dave Bishop (R-Rochester) and Sen. Roger Moe (DFL-Erskine), has been substantially changed as it has made its way through the committee process.

Rep. Doug Stang (R-Cold Spring) offered a successful amendment during the March 20 hearing that would reject contracts that provide the same-sex benefit partner provision. Contracts that did not contain the clause and provisions of negotiated compensation plans without the benefit would be approved under the measure.

Though the contracts would officially be rejected, the amendment specifies that until subsequent agreements are reached between the bargaining units and the state, the remainder of the current negotiated contracts remain in effect, except the same-sex domestic partner benefit.

The amendment also would expand a state employee's sick leave to allow the employee to take time off for an illness, disability, or death of a "regular member of the employee's immediate household for a reasonable period."

The two largest state employee unions — the Minnesota Association of Professional Employees and Council 6 of the American Federal of State, County, and Municipal Employees — represent nearly 30,000 state employees.

Stang said he has received calls from many state employees and constituents that said offering the domestic partner benefit was not appropriate.

The House's two openly gay members begged to differ.

Rep. Karen Clark (DFL-Mpls) questioned why Stang thought it was important to deny a

"very important benefit that costs a very miniscule amount of money."

Clark said the calls Stang received might be based on misinformation. She said employees pay for state paid health insurance coverage of spouses and dependents, and that because of federal tax laws coverage for same-sex domestic partners actually costs more because certain tax breaks are not available.

Rep. D. Scott Dibble (DFL-Mpls) questioned whether Stang had considered the cost of a potential lawsuit that might be filed if the Legislature rejects the contracts. Dibble said

the contracts and incorporate legal definitions of the criteria needed for a same-sex domestic partner of a state employee to be eligible for the benefit.

The criteria include that partners be of the same gender, are not related by blood or adoption in a manner that would prohibit marriage, have a committed interdependent relationship they intend to continue indefinitely, and they agree to assume all legal spousal obligations to each other that would apply if they were legally married.

During the March 19 hearing, Rep. Tony Kielkucki (R-Lester Prairie) offered an unsuccessful amendment that would have specified that bargaining agreements might only provide state-paid benefits to employees, their spouses, dependent children, and dependent grandchildren.

Bishop called the amendment "chronologically challenged" because it did not reflect the reality of today's society. He said that by of-

"The two groups sat down at the collective bargaining table and we're saying we know better."

— Rep. Loren Solberg

labor unions might file a suit because the state would not honor agreements negotiated in good faith.

Conversely, House Speaker Steve Sviggum (R-Kenyon) said a lawsuit could also be filed if the Legislature approves the contracts. He said opposite-sex domestic partners might file suit because of being denied the same benefit that same-sex partners receive.

Rep. Loren Solberg (DFL-Bovey) said that by adopting the amendment the Legislature was bypassing the negotiation process and dictating terms of employment for state employees.

"The two groups sat down at the collective bargaining table and we're saying we know better," Solberg said.

One night earlier the House State Government Finance Committee approved the bill without recommendation after substantially amending it to reflect the approach Bishop thought was most appropriate.

As it was introduced, and as it passed the Senate, the bill specifies that if the Legislature does not vote against a negotiated contract between the state and its workers, the contract is approved.


The committee amended the bill to accept

fering the benefits negotiated between the state and its workers the state would be able to recruit and retain a better workforce.

Kielkucki countered that the amendment was not denying existing benefits but rather not extending further benefits.

Rep. Philip Krinkie (R-Shoreview) questioned the administration's decision of negotiating state contracts with an average of 9 percent increase for all employees, at the expense of laying off employees.

Julien Carter, commissioner of the Department of Employee Relations, said the contracts were negotiated during a time when there was an anticipated downturn in the economy, but it was expected that state agencies would be able to absorb the increased costs. He said the department is anticipating "hundreds" of employees will be laid off as a result of the budget modifications that have since been made.

Carter said that 85 employees have applied for the same-sex partner benefits and the cost to the state is around \$189,000. He said if that amount had not gone toward the benefit and instead been split evenly between employees it would mean an increase of around .002 cents per hour per employee. 

Highway help

Legislators debate raising more money for roads, methods of distributing highway dollars

By LISA HILTON

Most people know that taxes pay for public roads, but the details regarding where the money comes from and where it goes may boggle a few minds.

Although federal and local funds are used to assist with transportation costs, much of the money comes from the state. And with numerous pressing transportation needs across the state, changes to the amount and designation of transportation funding are almost always in the works at the Capitol.

Several funds have been established to help manage the money and ultimate goal of funding highway and transit improvements.

Where the money comes from

Over the course of the state's history, lawmakers arranged for most of the money for roads to come from those who most often use them. The Highway User Tax Distribution Fund accounts for most of the state money spent on roads and highways.

The state also borrows money for construction projects through bonding authority specifically backed by the trunk highway fund. And occasionally money for transportation projects is taken directly from the state's general fund.

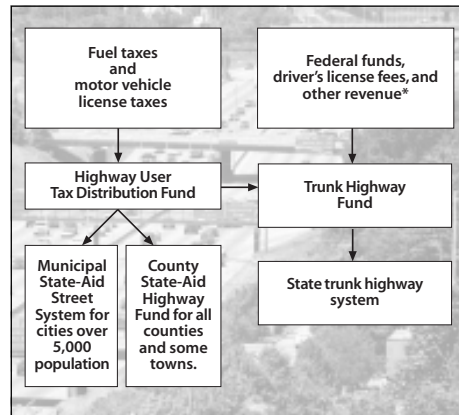
Until 2000, about half of the highway user tax fund money came from the 20-cent per gallon gas tax, and the other half from license tab fees. Because of Gov. Jesse Ventura's initiative, the 2000 Legislature slashed license tab fees and filled the hole in the fund with general fund money.

About \$160 million was shifted into the highway user fund for fiscal years 2001 and 2002 to make up the difference. Beginning in fiscal year 2003, the money will be replaced with 32 percent of motor vehicle sales tax revenue.

Under a House proposal (HF3364), sponsored by Rep. William Kuisle (R-Rochester), the gas tax would be increased yearly as needed to pay for \$1.25 billion in bonds issued by the state between 2003 and 2012 for projects statewide.

The bill, which has been referred to the House Taxes Committee, would make the state revenue commissioner responsible for determining how

Sources of highway funding



*Other funding includes miscellaneous fees and registration charges.

Source: Nonpartisan House Research Department

much to increase the tax each year. Increases would range from an additional one-tenth of a penny to 4.9 cents at the peak in 2012.

The Senate has approved a plan that would generate \$7.5 billion for transportation over 10 years by increasing the gas tax by 7 cents and again raising license tab fees.

Where the money goes

According to the state constitution, 95 percent of money in the highway user tax fund is dedicated to certain areas. The Legislature can change what it does with the remaining 5 percent every six years, but the bulk of the money is spent on upkeep of state highways.

• **State trunk highway fund:** Money in the state trunk highway fund pays for road construction, maintenance, the state patrol, and other operations related to the state system. Although the state highway system accounts for only about 9 percent of roads in the state, the state trunk highway system consumes about 62 percent of the constitutionally set-aside fund since those roads carry almost two-thirds of the state's traffic.

• **County and local state-aid funds:** Counties and local governments can nominate regionally important highways for the state-aid program, and the state Department of Transportation approves the nominees.

County highways that are designated as state-aid highways receive about 29 percent of the set aside money, and municipal state-aid streets receive the remaining 9 percent.

Under the current county state-aid formula, half of the money is sent to counties based on need, 30 percent based on the number of miles and lanes of road in the counties, and 10 percent based on the number of vehicles in each county. The remaining 10 percent is split equally among all counties.

Money for the municipal state-aid street system is available for cities with a population greater than 5,000.

Proposed changes

County state-aid money is currently split using a formula devised in the 1950s and has been routinely questioned by legislators, especially those from urban areas.

Because many large counties in the state are sparsely populated but still have to maintain many miles of roads, the amount of state aid going to rural counties is much more per person than the aid going to densely populated areas.

The difference in funding has not gone unnoticed by urban lawmakers.

Rep. Dan Larson (DFL-Bloomington), a member of the House Transportation Finance Committee, proposed changing the formula so half of the money would be distributed to counties based on need and the other half on population.

Larson said there has to be some disparity among counties but the current formula is beyond what is acceptable.

Too much of the state's funds are being eaten up by maintenance of Greater Minnesota roads, he argued.

According to the Metropolitan Inter-County Association, Twin Cities metropolitan area counties ranked very low in per capita county state-aid for highways. Hennepin and Ramsey counties ranked last, at about \$22 per person.

By comparison, Lake of the Woods County received about \$590 per person.

But that is to be expected, rural members said. "Of course we don't have the population," Rep. Henry Kalis (DFL-Wells) said during a March 8 committee debate on Larson's proposal. "The bottom line is we need some roads out there."

The committee did not approve any changes to the formula. 🐾

Not a recent fad

From songs to sows, Minnesota students have long focused on being patriotic

By SARAH MCKENZIE

While a looming budget deficit has commanded much of the attention at the Capitol this year, the session has also taken on a patriotic tone in light of the fight against terrorism.

Representatives, displaying American flags at their desks on the House floor, overwhelmingly approved a measure that would require public and charter school students to recite the pledge of allegiance at least once a week. It would permit students and teachers to opt out.

The measure would also direct school districts to teach students proper flag etiquette.

Sponsored by Rep. George Cassell (R-Alexandria), HF2598 cleared the House on a 114-11 vote Feb. 27. The full Senate has yet to act on the plan.

The state has a long history of promoting patriotism in schools. In 1959 Minnesota enacted a law requiring teachers to set aside one day a week for “subjects and exercises tending and calculated to encourage and inculcate a spirit of patriotism in the students.” The mandate was repealed in 1993.

During World War I the state took an aggressive approach in its campaign to inspire patriotism among Minnesota youth.

A 1918 handbook on school patriotism prepared by the state Department of Education (now the Department of Children, Families and Learning) asserted the state’s goals: “The mission of this book will not be accomplished if it does not measurably increase the patriotic fervor and activity of both pupils and teachers, and lead each school to utilize every means for the development of vigorous, well trained, patriotic manhood, and womanhood.”

The state published the handbook in a time when officials conducted “loyalty” investigations around the nation to ferret out those suspected of subversive activity.

With assistance from the University of Minnesota extension division and Twin Cities school superintendents, Annie Shelland, an official with the Department of Education,

prepared the 179-page guidebook complete with patriotic songs, prose, and speeches.

The state encouraged teachers and students to form patriotism clubs by including lengthy and formal instructions in the guidebook on how to proceed.

Shelland said the patriotic campaign was necessary in light of the state’s many immigrants, who she claimed could not be trusted to be loyal. She wrote: “These aliens are not necessarily enemies, but as citizens of another country, they cannot be called upon for support in the hour of need.”

So Shelland then implied that schools had a responsibility to “Americanize” and shape the youth, imparting on them the importance of civic duty.

Shelland called on instructors to participate in teachers’ patriotic leagues in their counties. To be eligible, she suggested teachers pledge their “loyal support” to the United States, sign the league’s constitution, and pay membership dues.

In the state’s vision, the leagues had the following mandates: disseminate patriotic literature, “Americanize” foreigners, and stamp out illiteracy.

Shelland frequently stressed the urgency of the cause.

“The responsibility is great, but the present and future welfare of the nation hinges upon the teacher’s action,” she wrote. “It must be remembered that great and terrible reckonings are coming very swiftly in these days, and none can afford to feel that a stone is left unturned for our present and future safety.”

Besides saluting the flag, teachers and stu-

dents were urged to conserve food that could be sent to Allied soldiers in Europe, including wheat, beef, pork, and dairy products. Shelland also preached the importance of saving money and personal hygiene.

She personally addressed students in a letter included in the handbook.

“Now, if you are going to train for grown-up work, you must learn to do as grown-up people do. We suggest that you form a ‘Little Citizen’s League,’” Shelland wrote.

The letter continued, “In this league, you can learn how to work, play and be strong, and help Uncle Sam. ... In order to do this, a little citizen must learn self-control.”

The discipline Shelland alluded to included staying observant, physically fit, and clean.

She suggested that the leagues include boys and girls, ages 6 to 18. Shelland directed the

students to recite a loyalty pledge and sign the league’s constitution.

The handbook concluded with personal testimonials from Minnesota children who had done their “bit” for the country.

Charlotte Staley, 12, of Medford raised a 207-pound pig

that won a Steele County contest. She named the pig “Liberty” and said she planned to sell him to buy a Liberty Bond.

Staley wrote: “Being only a girl, 12 years old, I could not do as much as the older people toward producing food for our country. Our school did not organize any clubs, so I joined the Boys’ and Girls’ Pig Club at Owatonna.”

Carl Potthoff of Jordan raised and canned 1,750 quarts of tomatoes, 160 quarts of sweet corn, and 38 bushels of corn.

“This work has prevented me from indulging in my favorite sport of baseball and fishing,” Potthoff wrote. “But the country’s call was urgent, and, as a patriot, I tried to do my ‘bit.’”



A children's patriotic parade in 1915.

Photo courtesy of the Minnesota Historical Society

Where his heart is

After years away from hometown and labor roots,
Rep. Rob Leighton plans to spend more time with Austin family

By LISA HILTON

When Rep. Rob Leighton (DFL-Austin) leaves office this year after four terms, he will still keep a keen eye on political issues in the state.

Since 1994, Leighton, 36, has represented the city of Austin, the place where he was born and raised, and where the Leighton family has lived since the 1800s.

Growing up there, Democratic politics was a way of life for Leighton, whose father ran for the State Senate in 1958 at the age of 29. Although he lost, Robert Leighton, Sr., remained politically active and was friend to many Minnesota politicians, such as Hubert H. Humphrey, Eugene McCarthy, and former Gov. Karl Rolvaag.

It was his father's involvement that

issues such as workers' compensation, migrant worker protection, and increasing the state's minimum wage.

As a freshman legislator in 1994, Leighton was vice-chair of the House Labor-Management Relations Committee, and he now serves on the House Commerce, Jobs, and Economic Development Policy Committee. In addition, he has been a member of the Worker's Compensation Advisory Council for five years.

He also served as House assistant majority leader from 1997 to 1998, and then as assistant minority leader from 1999 to 2000 after Republicans won the majority in the 1998 election.

While Leighton also serves on the House Taxes Committee, and has served on K-12 Education Finance Committee and others in the past, his focus remains on labor.

His interest in labor issues was sparked during the Hormel plant strike in 1984-85, when he saw many people in Austin out of work and charged with crimes related to the strike.

That strike had a life-long impact on him, Leighton said.

It was also at a rally during the strike that Leighton met a Carlton College professor named Paul Wellstone, who would later become a U.S. Senator.

Leighton remains a strong Wellstone supporter and plans to work on Wellstone's re-election campaign, as well as campaign for other Democratic candidates.

Leighton especially credits legislators from the Iron Range for guiding him during his first years and helping him fight for labor issues.

In fact, some House members used to refer

to him as the "Baby Ranger," since Leighton's district is known for having many, "pro-labor Democrats in a sea of Republican districts," he said.

Leighton predicts the newly released redistricting maps will benefit DFL members, adding that new districts may mean his political party will have a shot at reclaiming the majority in the House.

Although he will miss the friends he has made and the people he has worked with in the House, Leighton said it will be nice to have more time with his wife, Shawn, and his 5-year-old twin sons Tanner and Taylor. The family also has a dog that the boys named Britney, after singer Britney Spears. It could be worse, Leighton says with a laugh.

It is especially difficult being a legislator from a rural district, since the job requires so much time away from his family, Leighton said. "The time commitment goes beyond what most people expect."

When he took office in 1994, he was single, but now that he is married and has children, it is more difficult to be away, he said.

Although he said he will try to keep in touch with his friends at the Capitol, Leighton knows it will be difficult since he lives so far from St. Paul.

"It's kind of like your family away from family," he said of the Legislature.

His plans for the future include focusing on his law practice, spending time with his children, traveling with his wife, and of course, keeping a close eye on politics.



PHOTO BY ANDREW VON BANK

Rep. Rob Leighton will not seek another term in the Minnesota House. He was first elected to District 27B in 1994.

encouraged Leighton to run for office, he said.

And like his father, Leighton pursued a career in law, earning a bachelor's degree in economics from the University of Minnesota and a law degree from the University of California-Berkeley in 1991.

During his time at the Capitol, Leighton has been a strong advocate for labor, working on

STEPPING DOWN

Rep. Rob Leighton
DFL
District 27B – Austin
Terms: 4

Career notes: Leighton sponsored several employer-employee relations bills that became law during his tenure, particularly those governing workers' compensation and minimum wage. He also promoted legislation clarifying civil actions. During 1998, Leighton was on a list of potential lieutenant governor running mates for DFL candidate Hubert H. "Skip" Humphrey III.

Voice for education

After following the advice he gave to others, Mares decides to call it a legislative career

BY THERESA STAHL

It's only fitting that Rep. Harry Mares (R-White Bear Lake) has chosen to end his legislative tenure after eight years.

"That's as long as a president can serve and that's enough for me in the House of Representatives," he said.

Quizzing members with presidential trivia is a common way Mares begins meetings of the House Education Policy Committee, which he serves as chair.

"The presidency is very sacred to me," he said. "A civilian is in charge of a democracy with a very strong military. ... It is an art to maintain the power of the people."

Mares can be as funny as he can be serious, and is well known for telling Minnesota Vikings jokes. Humor has always been a part of this Wisconsin native's life: Mares' two older brothers are named Tom and Dick.

"My father was a jokester," he said. "We've had a lot of laughs over that."

The husband, father of seven, and social studies teacher of 36 years has a love of humor, history, and government.

Mares' steady climb in public office to state representative started as a volunteer for the White Bear Lake Planning Commission.

From there he served on the northern suburb's city council and then was elected mayor. One month into his second mayoral term the state representative of his district encouraged Mares to run for the seat. And so, in January 1995, he began his first term in the House of Representatives.

Mares said his strong belief in democracy drew him to the Legislature.

"We're citizen legislators, we're not professionals," he said. "I love the compromising it takes to make a democracy work, because that's all our government is — a bundle of compromises. I like the idea of negotiating, compromising, working together."

In education, where Mares holds one of the most powerful positions in the state, he said he tries not to let partisan politics enter the discussion.

"I want to keep issues nonpartisan as much

as possible because I think that's important to education," he said.

He also tries to limit tension in the room during meetings of his committee, according to Rep. Lyndon Carlson (DFL-Crystal), DFL lead for the committee.

"When you're running a large committee,



PHOTO BY ANDREW VON BANK

Rep. Harry Mares, who is stepping down after eight years in the House, chairs the House Education Policy Committee. He was appointed chair prior to the 1999 legislative session.

you're bound to have some difficulties that arise. When people feel strongly on an issue, sometimes using humor is a good way to resolve what could potentially be a conflict," Carlson said. "Harry was good at that."

Rep. Alice Seagren (R-Bloomington) agreed. Seagren, chair of the House K-12 Education Finance Committee, said Mares is a strong voice for education.

"He exemplifies the best there is in teaching and the teacher," she said. "They can be proud of his service for them."

Seagren has worked alongside Mares for the eight years he's served. She said they share similar philosophical beliefs and personal experiences. Both have children with serious illnesses — Mares' youngest child has Cystic Fibrosis.

"We share the ups and downs of children with physical limitations," she said. "He's just been a best buddy to me."

Mares' wife and children are a big reason for his retirement.

"Campaigning is very difficult, very time consuming, and has a profound effect on family," he said. Particularly, he wants to spend more time with his wife, he said.

The laws he has introduced aren't what Mares said he wants to be remembered for.

"I've never thought about what's most important and what isn't, because almost every bill I've brought forth affected someone's life," he said. "I just tried to make good policy."

"I would hope people would remember me as trustworthy. My word is good when I give it."

Mares said serving as a state representative has made him a more mature person.

"I probably discovered who I was in greater depth than ever before. I discovered abilities I never recognized — now some won't call them abilities," he said, grinning. "But I became aware of them more so by doing this than I ever dreamt I would."

"I always told my students that unless you take risks in life I don't think you really grow. One's whole life is a process of growth. In my eight years here I think I've grown where at first I felt very uneasy, but now I feel an integral part of the legislative process. In every office (I served), every classroom I walked into, I didn't know what the results would be."

Seagren, becoming teary-eyed at the thought of Mares' absence, said she will most remember his integrity and wisdom.

"It's been an honor to work with him and I'm going to miss him a lot." 🐼

STEPPING DOWN

Rep. Harry Mares
Republican
District 55A – White Bear Lake
Terms: 4

Career notes: In 1999, Mares was named chair of the House Education Policy Committee when Republicans gained the majority. He also sponsored a number of pension and retirement benefit bills, having served on the joint House-Senate pensions commission. In 2000, Mares sponsored the law making the monarch butterfly the 13th state symbol, after elementary school students from his district brought him the idea.

Tracking new laws, vetoes

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

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

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

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

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

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

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
Res. 6	2681*	2469	Resolution supporting personnel responding to Sept. 11 terrorist attacks.	1/31	
Res. 7	3411	3207*	Resolution urging delayed termination of LTV pension plan.	2/27	
219	2698	2655*	Extending physical therapy board authority to adopt licensee ethics rules.	2/27	
220	351*	264	Omnibus budget balancing and appropriations bill.		2/25◆
221	97	58*	Changing terminology in statute of references to mentally ill.	2/27	
222	3049	3019*	Predatory offenders registration requirement expansion.	2/28	
223	1297	1471*	Municipal Board authority transferred to Office of Strategic and Long-Range Planning.	3/5	
224	2642*	2760	Mine inspector annual audit requirement modified.	3/7	
225	3116*	2822	Environment and Natural Resources Trust Fund provisions modified.	3/7	
226	2624*	2441	Shakopee Public Utilities Commission increased from three to five members.	3/7	
227	3148*	3025	Speech-language pathologist and audiologist registration requirements modified.	3/7	
228	2992*	2865	Occupational therapist temporary licensure terms modified.	3/7	
229	3062*	2839	Hennepin and Ramsey counties juvenile court judge term limits repealed.	3/7	
230	2748	2573*	Browns Valley school year start before Labor Day.	3/13	
231	2695*	2531	Minneapolis Firefighters Relief Association retirement provisions corrections provided.	3/13	
232	58*	389	Beer kegs identification and sales requirements.	3/13	
233	3190*	3111	Juvenile court data in statewide supervision system.	3/13	
234	2783*	2671	No-fault auto insurance residual liability coverage regulated.	3/14	
235	1189*	1376	Election of municipal council members provided after annexation.	3/14	
236	1620*	2210	Orderly annexation agreements strengthened.	3/14	
237	2987*		Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	3/14	
238	3202*	2801	Delano Public Utilities Commission increased to five members.	3/14	
239	2629*	2913	Retired professional designation for Board of Architecture, et al. licensed retirees.	3/14	

◆ - veto overridden by the Legislature

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

CH	HF	SF	Description	Signed	Vetoed
240	3309*	3082	Nursing home licensed bed lay away authorized during moratorium projects.	3/14	
241	2637*	2472	Temporary town officeholders authorized in event of inability or refusal to serve.	3/14	
242	3344*	2892	Second Judicial District combined jurisdiction program authorized.	3/14	
243	3296*	3206	State employee Social Security administrative duties transfer.	3/14	
244	1547	1495*	Omnibus agriculture policy provisions modifications.	3/15†	
245	2612*	2562	Licensed architect, et al. requirement circumstances revised.	3/15	
246	2899*	2711	Livable community demonstration account provisions modified.	3/21	
247	3584*	3302	Judgment calculation interest rate formulas modified.	3/21	
248	2813*	2803	Child care providers required to develop policies for reporting suspected child maltreatment.	3/21	
249	2766*	2475	Motor vehicle fuel franchise sale federal code compliance expiration date removed.	3/21	
250	3189*	3135	Street-sweeping vehicles defined as special mobile equipment for registration purposes.	3/21	
251	2742*	2757	State agency contested case procedures regulation provided.	3/21	

† - Filed without signature

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Unofficial list as of 9/25/01

Monday, March 18

HF3692—Mulder (R)

Higher Education Finance

Minnesota State Colleges and Universities telecommunications delivery systems planning and construction funding provided, bonds issued, and money appropriated.

HF3693—Paulsen (R)

Transportation Policy

Metropolitan Airports Commission membership increased.

HF3694—Davids (R)

Environment & Natural Resources Policy

Feedlots water appropriation permits limited.

HF3695—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy

National missile defense system opposition urged by resolution to Congress, suggesting funds be redirected towards other security needs.

HF3696—Mulder (R)

Education Policy

Licensed elementary school teachers authorized to provided instruction at home.

Tuesday, March 19

HF3697—Lipman (R)

Governmental Operations & Veterans Affairs Policy

Campaign finance spending and contribution limits modified.

Wednesday, March 20

HF3698—Hackbarth (R)

Education Policy

School districts and schools prohibited from using weighted grading structures for specified rigorous courses and programs.

HF3699—Dorman (R)

Taxes

Motor home production facility construction materials sales tax exemption provided.

HF3700—Wilkin (R)

Transportation Policy

Metropolitan Airports Commission required to submit proposed budgets to legislative committees.

HF3701—Boudreau (R)

Health & Human Services Policy

Hospital payment rate annual adjustment provision modified, and money appropriated.

Thursday, March 21

HF3702—Westrom (R)

K-12 Education Finance

Debt service equalization aid program modified to encourage sound historic preservation and cost-efficient remodeling projects.

HF3703—Sertich (DFL)

Local Government & Metropolitan Affairs

Meadowlands charter school loan forgiven.

HF3704—Kelliher (DFL)

Health & Human Services Policy

Food and drug administration urged by resolution to approve emergency contraceptive pills for over-the-counter purchase.

COMMITTEE SCHEDULE

MARCH 25 - 29, 2002

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 direct your Web browser to

<http://www3.house.mn/scripts/>

[lyris.pl?join=houseschedule](http://www3.house.mn/scripts/lyris.pl?join=houseschedule) and fill

out the subscription form on the

Legislature's Web site.

House committee schedules are also available on the Web site at

<http://www.house.mn/hinfo/schedule/index.htm>.

30 minutes after session or
at the call of the chair

TAXES

5 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

TUESDAY, March 26

8 a.m.

THE HOUSE MEETS IN SESSION.

30 minutes after session or
at the call of the chair

TAXES

Basement Hearing Room

State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

WEDNESDAY, March 27

8 a.m.

THE HOUSE MEETS IN SESSION.

30 minutes after session or
at the call of the chair

TAXES

5 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

THURSDAY, March 28

30 minutes after session or
at the call of the chair

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

FRIDAY, March 29

30 minutes after session or
at the call of the chair

TAXES

10 State Office Building

Chr. Rep. Ron Abrams

Agenda: To be announced.

MONDAY, March 25

10 a.m.

THE HOUSE MEETS IN SESSION.

Minnesota Memorials



PHOTO BY ANDREW VON BANK

Women's memorial garden

Much like women earning the right to vote, the Minnesota Woman Suffrage Memorial Garden is taking plenty of time to complete.

Located on the southwest corner of Cedar Street and Constitution Boulevard, the garden was dedicated in August 2000 but casting and foundry work have pushed the completion date back to more likely spring or summer of this year.

Barbara Stuhler, a published historian and former University of Minnesota associate dean, began the effort in 1995, the 75th anniversary of the 19th Amendment which gave women the right to vote. The idea was appropriate, as many early advocates were gardeners. The project received \$250,000 from the 1996 Legislature, with \$50,000 to be raised privately.

Entitled *Garden of Time: Landscape of Change*, the site features a woven trellis with the names of 25 prominent Minnesota women including Harriet Bishop, the state's first full-time school teacher; Nellie Griswold, author of the state's first anti-lynching law; Martha Rogers Ripley, who started a hospital in north Minneapolis for unwed mothers; and Mabeth Hurd Paige, a legislator for two decades. Text plates will tell the story of the movement.

Waves and berms around the site are representative of the glacier-like movement of women earning the right to vote. And prairie grasses are meant to represent the toughness of the suffragists because the grasses are deep-seeded and once established they last forever, said Paul Mandell, principal planner with the Capitol Area Architectural and Planning Board.

The first vote in which women took part was a water referendum in South St. Paul, less than one week after the 19th Amendment was ratified by Congress in 1920.

(M. Cook)

Moving?

Please help save postage costs by keeping us informed of address changes. Call (651) 296-2146 or (800) 657-3550.

Reflections

The official first day of spring arrives at the vernal equinox, each year around this time in March. By tradition, many Minnesotans say spring is not recognized as official until after the annual high school sports tournaments have ended in the Capital City.

Also this March — two years after the U.S. Census was taken — political caucuses and lawmakers in the House and Senate waited to hear a final decision about restructuring legislative districts to satisfy population shifts in the state, because they couldn't agree on a plan amongst themselves.

Redistricting goes back to the beginning of statehood. As territorial lawmakers prepared to become a state, they followed the reapportionment laws set by Congress and called for a census of the population. The process set the number of seats in a legislative body to established districts.

The territorial legislature operated in a house-senate structure patterned after Congress. The senate members were called councilors and the house members were called representatives.

In 1855, councilors occupied 15 seats and representatives were awarded 38 seats to accommodate the state's 53,600 people.

The population for the territory was 150,092 by the time the Legislature met in 1857 to write a constitution. But Congress did not approve statehood until 1858. By then, the council, now the Senate, had grown to 21, with 42 members in the House.

As the state continued to grow, so did the legislative districts and total numbers of members to represent the people and meet the standard of "one person, one vote."

Based on the 1910 population of nearly 2.08 million, reapportionment by 1913 had jumped to 67 senators and 130 House members in 64 districts. As was the custom since the beginning of statehood, some House dis-

tricts were represented by more than one member, while others had at-large members involved in the legislative process.

While no redistricting occurred between 1913 and 1957, new members were simply added at will. Though several plans were introduced in the Legislature, members reached no agreement and passed no apportionment plans.

The courts did not get involved until 1958 because no specific cases challenging the constitutionality were brought until that time.

In 1958, the disproportionate representation between urban and rural areas was finally challenged by a lawsuit. The court restrained itself from ruling on the case, but stated a confidence in the Legislature to reapportion itself in 1959.

As membership jumped to 135 in the House and 67 in the Senate, the courts were given the authority to judge the fairness of redistricting. Two cases, in 1964 and 1965, resulted in the courts ruling that existing plans were invalid.

By 1966, a reapportionment plan was passed by the Legislature in special session and then vetoed by Gov. Karl Rolvaag. Later the parties reached compromise and enacted a plan, but that plan was not adjusted until 1973 based on the 1970 census of nearly 3.8 million state residents. That plan called for 67 districts equating to 134 members in the House and 67 in the Senate. Those numbers remain the same more than 30 years later.

Now that redistricting is in place, some members will have to compete against a colleague to retain their seat, much like a school may need to beat its rival for a state title.

And, as sure as spring will return to St. Paul, lawmakers will return home to campaign for re-election.

— LECLAIR GRIER LAMBERT

Where to find information

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

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

MINNESOTA INDEX

Minnesota Taxes

Billions of dollars in Minnesota state and local tax revenue in	
fiscal year 2001	\$18.33
Amount in individual income taxes, in billions	\$5.93
As percentage of total taxes paid	32
Billions of dollars from property taxes	\$4.81
As percentage of total taxes paid	26
State sales tax revenues in fiscal year 2001, in billions	\$4.5
As percentage of total taxes paid	25
State tax collections in 2000, in billions	\$13.34
As a percentage of personal income	9.1
National rank	5
Amount per capita	\$2,712
National rank	4
U.S. average in per capita tax collections in 2000	\$1,921
In Wisconsin	\$2,357
Wisconsin national rank	8
In Iowa	\$1,772
Iowa national rank	31
In South Dakota	\$1,228
South Dakota national rank	50
Of 2000 state tax collection, percentage from sales tax	27.9
National average, as percent	32.3
State sales tax rate, as of Jan. 1, 2002, as percent	6.5
National rank	3
Rate in Mississippi and Rhode Island, as percent	7
U.S. median rate, as percent	5
State sales tax rate on liquor, wine, and beer in fiscal year 2001, as percent	9
Percent on motor vehicle rentals	12.7
Percent of 2000 state tax collection that came from individual income tax	41.6
National average	36
Percent from corporate income tax (same as national average)	6
Amount of corporate tax received in fiscal year 2001, in millions	\$862
Minnesota personal income upper tax rate in 2001, as percent	7.85
State rank	9
Rate in Wisconsin, as percent	6.75
In Iowa, as percent	5.42
State gas tax in 2001, in cents per gallon	20
State rank	24
Minnesota cigarette tax in 2001, as cents per pack	48
Average cents per pack in United States	34

Sources: *Minnesota Data Book for Legislators*, Research Department, Minnesota House of Representatives, January 2001; Federation of Tax Administrators; *CQ's State Fact Finder 2002*.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

MARCH 29, 2002
VOLUME 19, NUMBER 9

In this issue:

HOUSE PASSES STADIUM PLAN

LATEST VETOES AND NEW LAWS, AND MORE

HF3705-HF3707

Session Weekly

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

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People — Rep. Mike Osskopp (R-Lake City) a conservative critic of government will limit his voice to the airwaves as he steps down after this term. Osskopp would be paired with incumbent Rep. Jerry Dempsey (R-Red Wing) under the new districts announced March 19. • 23

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On the cover: Visitors to the State Capitol admire the architecture around the grand staircase March 27.

—Photo by Andrew Von Bank

Field of their dreams

Funding for new Minnesota Twins ballpark calls for state revenue bonds to be paid back by team, interest proceeds

By DAVID MAEDA

With a floor debate that seemed to last a little longer than the average American League baseball game, the House passed a bill March 25 that could lead to construction of a new stadium for the Minnesota Twins.

The bill (HF2214), which passed by an 80-52 vote, would allow the state to issue up to \$330 million in revenue bonds at an estimated 6.5 percent interest rate to investors. The money would then go toward a loan to a host city for ballpark construction.

"The Minnesota Twins are a Minnesota resource. There's no doubt about that," said Rep. Harry Mares (R-White Bear Lake), the bill's sponsor. "Baseball is a very important fabric within our economy, within our society, and within our culture."

Under the measure the Twins and other private sources would be responsible for contributing \$165 million up front that would go

responsible for making annual payments of at least \$10 million. That amount, combined with the estimated \$11.5 million generated from the interest in the gift fund, would repay the bonds over a 30-year period.

The bill would authorize the host city, upon voter approval, to impose a sales tax on tickets; a parking surcharge; and hospitality, hotel, and motel taxes of up to 5 percent to help pay off the bonds.

Additionally, the bill would grant a property tax exemption on the stadium and would exempt construction materials used to build the ballpark from the sales tax.

Mares said the bill incorporates a proposal offered by Gov. Jesse Ventura's administration, developed from an idea by Peter Sausen, a deputy commissioner in the Department of Finance.

Passing the bill marks a contrast from the last time the House voted on a stadium proposal.

businessman to sell the team.

Calls to legislators' phone lines from constituents were so numerous that the phone system in the Capitol complex mechanically shut down.

Ultimately the House rejected a bill 84-47 that would have used revenue from personal seat licenses for season ticket holders, rent from the team, fees from broadcasters, ticket and parking taxes, surcharges on income taxes from the players, and a stadium sales tax to pay off bonds for a \$356 million stadium.

The divisive nature of public funding for stadiums has continued through the years, but Rep. Philip Krinkie (R-Shoreview) said during the March 25 debate there is a difference between the current atmosphere and 1997.

"The citizens have gotten tired of the debate. The citizens who don't want us to be a state bank for Carl Pohlad, who don't want their tax dollars used to finance a stadium, they've given up. They've gone away," Krinkie said urging members to listen to the "silent majority."

Before passing the bill members debated more than 30 amendments, the majority of which were rejected.

One failed amendment was offered by Rep. Tom Hackbarth (R-Cedar) that would have paid for the ballpark by allowing a private company to open a single casino in the Twin Cities metropolitan area. In order to get the exclusive license for the facility, the entity would have to provide \$330 million up front for stadium construction.

Speaking against the amendment, Rep. Bill Hilty (DFL-Finlayson) said relying on gambling revenues was a way to "dupe someone" into paying for the stadium.

A successful amendment from Rep. Matt Entenza (DFL-St. Paul) would require baseball owners and players to agree upon a new economic system that includes enhanced revenue sharing before state bonds could be issued.

Rep. Kevin Goodno (R-Moorhead), who co-chaired a stadium task force during the interim, said the group's report did not include specific reform recommendations for Major League Baseball because it was unrealistic to expect state legislation would cause the reforms to occur.

Entenza said threats to move or contract the Twins were attempts to "blackmail" the state into building a stadium, so it's fair to

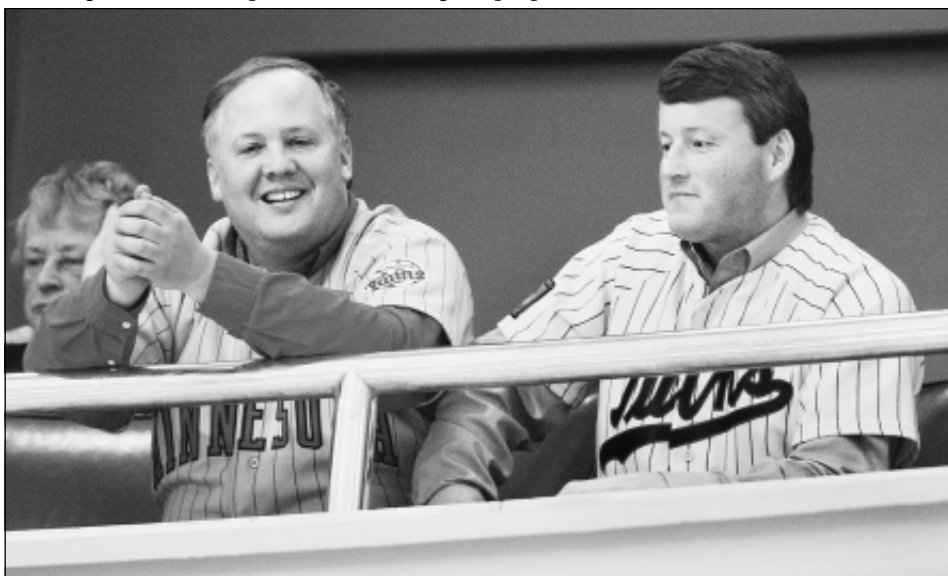


PHOTO BY TOM OLMSCHIED

Joe Marble, left, and David Hoch of Citizens United for Baseball in Minnesota watch March 25 as the House debates a bill that would help finance a \$330 million stadium for the Minnesota Twins.

into a gift fund. Interest generated from the fund, at an estimated 8.5 percent rate, would go towards paying off interest on the bonds.

The Twins and the host city would also be

In November 1997 Gov. Arne Carlson called a special session after an announcement that Twins' owner Carl Pohlad had reached an agreement with a North Carolina

expect some commitment from the league.

The bill establishes a process for selecting a ballpark site by requiring interested cities to submit bids to the state's executive council, which consists of the governor, lieutenant governor, secretary of state, state auditor, and attorney general. The council would then select a city by July 1, 2002.

Before any local taxes could be imposed, the city would be required to get approval from voters at a June 4 special election.

The timing of the two deadlines means more than one city could put a referendum before its voters.

Rep. D. Scott Dibble (DFL-Mpls) offered an unsuccessful amendment that would have moved the date of a possible local referendum election from June to the November general election.

Mares opposed the amendment and said that due to current low interest rates on the bonds, it is likely the deal would not work if postponed until the fall.


Rep. Joe Mullery (DFL-Mpls) expressed concern that the bill would allow only a city to partner with the Twins. He said the Mares' bill should not limit the options of communities to put together a stadium proposal but should encourage plans that reflect what is good for the state.

In particular, a plan sponsored by Rep. Gregory Gray (DFL-Mpls) would include \$185 million in Hennepin County-issued bonds to build a stadium in Minneapolis. That city requires a referendum for city spending above \$10 million and may need the county's help.

Rep. Mike Osskopp (R-Lake City) said neither the bill, nor any proposal to finance a stadium would address the real issue — the discrepancy between the revenues of large and smaller market teams.

Osskopp, who is a fan of the Milwaukee Brewers owned by baseball commissioner Bud Selig, said a new ballpark for that team didn't help it produce a winning season last year. And despite increased revenues the team still traded away two of its best players in order to save money.

Goodno said those arguing for economic benefits from a new stadium were "going down the wrong path." He urged members to consider the "intangible" value of having professional sports in the state such as having the value of sharing a common interest with others.

The Senate stadium bill (SF1857), sponsored by Sen. Dean Johnson (DFL-Willmar), which passed 37-30 on March 13, incorporates a different funding mechanism. The two bills will need to be reconciled in a conference committee. 



Exercising environmental rights

1971 law strengthens Minnesotans' legal claims to preserve past

With the enactment of the 1971 Minnesota Environmental Rights Act, the Legislature declared "it is in the public interest to provide an adequate civil remedy to protect air, water, land, and other natural resources located within the state from pollution, impairment, or destruction."

Protection of the state's natural resources isn't limited to wetlands and wildlife. Under the law, the definition of natural resources includes historic resources, and Minnesotans have the right to sue to protect historically significant structures from demolition or damage.

The legislation has become an important component within local, state, and federal preservation efforts.

"It gives citizen groups concerned about historic

resources some tools to work with ... particularly when the patchwork of laws that we have doesn't cover certain situations," according to Dennis Gimmestad, compliance officer with the State Historic Preservation Office.

Over the years, environmental rights lawsuits have fueled debate over which structures are worthy of preservation and when preservation efforts should trump property rights.

To determine historical significance, the courts turned to eligibility standards for the National Register of Historic Places, the official list of such properties. The criteria include deciding whether the sites or structures are associated with significant people, broad patterns of history, master builders and architects, or distinctive construction types.

Minnesota has close to 1,500 listings on the register; however, a structure does not need to appear on the list to be protected as a historic resource.

Once historical significance is proven, the defense must demonstrate that demolition or impairment of the site is unavoidable because no "feasible and prudent" alternatives exist. Economic considerations alone do not constitute a defense.

The Minneapolis Armory is an example of a structure saved from the wrecking ball through environmental rights litigation. Built in 1935, the armory is listed on the national

register as one of the best examples of Depression-era public works architecture.

A 1993 Minnesota Supreme Court ruling prohibited Hennepin County from constructing a jail on the armory site because, among other reasons, the county did not prove other locations were unsuitable.

The county eventually sold the armory to a private owner and built its jail near the site. Minneapolis officials have dreamed of renovating the armory into a youth center, a hotel, and even a sound

stage. But it is currently being used as a parking facility. Even modest use is better than allowing it to sit vacant and deteriorate, Gimmestad said.

Sometimes environmental rights petitioners claim the integrity of a historical site is at stake, even without the threat



The Minneapolis Armory, shown here during construction in 1935.

of demolition.

A lawsuit pending in Hennepin County District Court seeks to prevent the Minneapolis Parks and Recreation Board from finalizing construction of certain permanent structures, including light poles and fences, on a new athletic complex at Fort Snelling. A decision is expected soon.

Another citizen preservation group, SavetheGuthrie.org, has said that, as a last resort, it may exercise environmental rights to protect the Guthrie Theater in Minneapolis. The Walker Art Center, which owns and houses the theater, plans to demolish it to make way for a parking facility and expanded sculpture garden when the Guthrie's performance company moves to a new location.

The state preservation board recently determined that although the Guthrie doesn't meet the architectural and age requirements, it is eligible for nomination to the national register because of its contributions to regional theater and association with a world-renowned director, the late Tyrone Guthrie.

The art center has declined to pursue the nomination, a decision which ultimately rests with the owner of a property, but the theater's historical significance may put a kink in the Walker's expansion plans if they must challenge an environmental rights lawsuit.

(N. Wood)

Photo courtesy of the Minnesota Historical Society

ARTS

New state photograph

Signed
by
the
governor

Bovey native Eric Enstrom's world renowned photograph "Grace" will be added as Minnesota's 14th state symbol, under a new law signed by Gov. Jesse Ventura March 22.

The law requires the secretary of state's office to display the photograph.

Shot by Enstrom in 1918, it features an elderly man sitting pensively with bowed head and folded hands. He is leaning over a table, and on the table sit a pair of spectacles resting atop a thick book, a bowl of gruel, a loaf of bread, and a knife.

Rep. Loren Solberg (DFL-Bovey), the House sponsor, also sponsored a successful resolution in 2001 that urged the U.S. Postal Service to create a postage stamp reproduction of the photograph. That stamp has not yet been made.

Solberg said he didn't pursue the proposal to make the picture the state photograph at the same time because he wanted to give an opportunity to anyone else who might have another picture to put forward. No one else did.

The photograph joins the other 13 state symbols, including the state song, flag, mushroom, fish, flower, muffin, and others. Most recently, the Legislature voted the monarch as the state butterfly in 2000 after a class of students from Mahtomedi brought the idea to their legislator, Rep. Harry Mares (R-White Bear Lake).

Sen. Bob Lessard (Ind.-Int'l Falls) was the Senate sponsor of the state photograph law. It takes effect Aug. 1, 2002.

HF1097/SF1072*/CH255

BUSINESS

Contractors get money

Signed
by
the
governor

Gov. Jesse Ventura signed a new law March 27 that will prohibit clauses in public works contracts that limit the rights of a contractor to recover costs or damages caused by the contracting

public entity.

Ventura vetoed a similar bill that unanimously passed both the House and Senate last session. The Senate voted 63-1 to override the governor's veto but a similar vote in the House failed 70-63.

The new law passed the Senate 63-0 on March 11 and the House 129-0 on March 22.

It is effective Aug. 1, 2002.

Rep. James Clark (R-New Ulm), the House sponsor, said the new law came as a result of instances such as one that involved a construction company scheduled to deliver fill but had the delivery substantially delayed by a Metropolitan Airports Commission decision to install a traffic light.

The company went to the commission to renegotiate a change in the contract due to the delay but was given no flexibility in the time of delivery clause, Clark said.

He said fears that the law would somehow affect the light-rail transit project in the Hiawatha Corridor led to the House's failure to override the governor's veto in 2001.

Those concerns have now been addressed, Clark said, adding that one of the lawmakers who voiced concern during the House debate, Rep. Bernie Lieder (DFL-Crookston), was a co-sponsor of the law.

Last year in his veto message, Ventura wrote that the "no damage for delay" clause is commonly used in public works contracts and the legislation would lead to increased litigation and higher contract costs.

The new law was sponsored in the Senate by Sen. David Knutson (R-Burnsville).

HF3205/SF2890*/CH299

Gas station owner rights

Signed
by
the
governor

A provision that gives gas station owners additional rights to the land they occupy is now permanent law. Gov. Jesse Ventura signed the measure March 21.

Gas stations are generally operated by franchisees that lease their locations. First passed in 2000, state law required that the operator of the station be given an opportunity to purchase the property before the franchisor could sell it to a new franchisor.

The provision had a sunset date of July 1, 2002.

Some controversy between franchisors and franchisees over the amount of flexibility each can retain has kept the law from becoming permanent. Rep. Bill Haas (R-Champlin), a sponsor of the new law, said this year there was no opposition.

He said the franchisees won't lose any money under the new law and that it will protect local businesses.

The law, also sponsored by Sen. John Hottinger (DFL-Mankato), passed the Senate 57-0 on March 14. The House passed it 130-0 on March 7.

The new law is effective March 22, 2002.
HF2766*/SF2475/CH249

Real estate licensing

Signed
by
the
governor

Real estate licensing laws relating to making property disclosures and investigating statute violations will soon change.

Under the new law, signed March 26 by Gov. Jesse Ventura,

the commissioner of the Department of Commerce will be prohibited from intervening in monetary settlements between licensed real estate agents and consumers.

Specifically, the provision addresses instances when the department becomes involved in investigating a complaint. Though parties may settle the situation on their own, the new law will not allow the department to encourage or negotiate any specific monetary settlement.

In addition, the new law clarifies further the material facts that brokers are not liable for disclosing. Those conditions include if the property was the site of a suicide or homicide and if it is located near a nursing home or group home.

Another bill that passed the House further clarifies that property owners are held responsible for disclosing certain information.

Technical provisions include no longer requiring agencies to retain disclosure forms for a property that did not produce a contract or services contracts where a buyer abandoned the agreement before services were provided.

Provisions in the new law are effective Aug. 1, 2002.

Rep. Doug Stang (R-Cold Spring) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the law. The House passed the measure 129-3 on March 21 and the Senate 66-0 on March 18.

HF3078/SF2821*/CH286

CHILDREN

Daycare pool safety

Signed
by
the
governor

Let the splashing begin.

Gov. Jesse Ventura signed a bill into law March 25 that allows children to continue playing in portable wading pools at family daycare providers.

Although the Legislature approved a bill permitting the use of the wading pools in 1999, it has been interpreted as an expired provision.

The House passed the measure March 19 by a 120-8 vote. After concurring with a House amendment related to state assistance for an infant daycare program, the Senate re-passed the bill 62-0 on March 20.

Rep. Richard Mulder (R-Ivanhoe) and Sen. Arlene Lesewski (R-Marshall) were the sponsors.

Under the new law, a child's parent or legal guardian must sign a statement indicating they have read materials prepared by the state informing them of risks associated with swimming in the pools.

The wading pool must have a maximum depth of 24 inches and be capable of being manually emptied and moved.

The new law is effective March 26, 2002.
HF2600/SF2419*/CH279

Gaining custody

About 71,000 children in Minnesota are being raised by their grandparents, siblings, or other caregivers, Rep. Mary Liz Holberg (R-Lakeville) told the House March 22.

A new law designed to help these de facto parents more easily obtain legal custody of the children they care for was signed by Gov. Jesse Ventura March 27. It is effective Aug. 1, 2002.

Since many caregivers were having a hard time getting custody of the children they cared for, Holberg sponsored the measure to lay out a simpler process to gain custody. The House passed the bill 132-0 on March 22.

Sen. Richard Cohen (DFL-St. Paul) sponsored the measure in the Senate, where the bill passed 62-0 March 19.

In order to be awarded custody, the caregiver must show that the parent has abandoned or neglected the child, or that it is otherwise in the best interest of the child to be raised with the caregiver.

Speaking in support of the bill, Rep. Luanne Koskinen (DFL-Coon Rapids) told of how she and her husband struggled to gain custody of their granddaughter after their daughter was murdered in 1994.

Although they did eventually win custody, legal battles with the child's father cost the couple about \$20,000.

Holberg said it is hard to determine how much the change in law would have helped in Koskinen's situation but it likely would have sped up the process.

HF2596/SF2673*/CH257

Reporting maltreatment

Signed
by
the
governor

By Aug. 1, 2002 all licensed childcare providers in the state will be required to develop policies for parents to report suspected child maltreatment.

Gov. Jesse Ventura signed the measure into law March 21. The House passed the bill 132-0 on March 7 and the Senate backed and amended the measure 58-0 five days later.

The House concurred with the Senate amendments and re-passed the bill 120-0 on March 14.

Under the new law, the state is also required to print the licensing agency phone number on the daycare provider's license, directing concerned parents to call for more information.

The provider is required to post both the county and state licensing phone numbers.

A couple from Mayer promoted the bill, which was sponsored by Rep. Carol Molnau (R-Cologne) and Sen. Claire Robling (R-Prior Lake).

Jolene and Bill Devine's 5-month-old grandson, Isaiah, died of Shaken Baby Syndrome in 2001. He had been at a daycare in Victoria.

The Devine's daughter, Theresa, learned of the caregiver's criminal past after her son's death. The record included drug and domestic assault charges, which did not appear on the record at the time the caregiver underwent and passed a criminal background check.

"We thought a license would ensure safety," Jolene Devine told the House Health and Human Services Policy Committee Feb. 19.

HF2813*/SF2803/CH248

★ CONSUMERS

Ridding unwanted e-mail

Almost everyone with an e-mail account knows how annoying it can be to find unsolicited commercial messages in their mailbox.

To respond to the problem, the House passed a bill March 26 that would require people who send unwanted messages to label them as advertisements so they can be automatically filtered out by software programs.

Sponsored by House Majority Leader Tim Pawlenty (R-Eagan) and Sen. Steve Kelley (DFL-Hopkins), the bill (HF3625/SF2908*) would also prohibit Internet service providers from giving out consumers' personal information, except under certain circumstances such as if it is needed for civil or criminal cases, or by the customer's request.

The bill would require the subject line of

unsolicited advertisements to begin with "ADV," or "ADV-ADULT" for messages with adult content.

Companies sending such messages would also have to include a toll-free phone number or return e-mail address at the bottom of the message so recipients could ask to be removed from the company's mailing list.

Although the bill easily passed 126-2, some members questioned how the state could enforce the bill, since many commercial messages are sent to Minnesotans from other states and countries.

Rep. Eric Lipman (R-Lake Elmo) pointed out that people in Texas would probably not be aware of the state's laws. But Pawlenty said similar laws are in place in other states and have worked well.

Several representatives suggested improvements to the bill during the floor debate.

Rep. John Jordan (R-Brooklyn Park) pointed out that the bill would not stop a company from removing a customer's e-mail address from their mailing list, but still selling it to another company.

He proposed an amendment that would impose a \$500 penalty for companies that distribute customers' addresses after they request to be removed from a list.

The amendment was approved, but Jordan was unable to answer questions regarding how the state would enforce the proposal, or how people would know if a company sold their e-mail address.

An amendment offered by Rep. Wes Skoglund (DFL-Mpls) was also added that would require Internet service providers to turn in people operating child pornography sites.

Further, phone companies would be required to print full foreign area code listings in phone directories, so customers can look up area codes before placing calls to unknown numbers, under a successful amendment offered by Rep. Phyllis Kahn (DFL-Mpls).

The Senate did not concur with the amended bill March 27, and a conference committee was requested.

★ CRIME

Sexual misconduct law

The House passed a bill March 21 that clarifies the law regarding sexual contact of persons with mentally handicapped or mentally ill adults.

The bill (HF3304/SF2433*) would make it a crime for the driver of special transportation buses to engage in sexual contact with riders. It was approved 132-0.

Rep. John Tuma (R-Northfield), sponsor of the bill, said a Hennepin County attorney

requested the change after a driver had sex with a mentally impaired rider and claimed the rider gave consent.

The bill would close that loophole by making it a crime regardless of consent.

Added to the bill was an amendment that would set a new mandatory minimum sentence for those charged with certain cases of second degree criminal sexual misconduct.

The amendment, proposed by Rep. James Clark (R-New Ulm) was heard by several House committees as HF3386. The amendment would create a minimum executed 7 1/2-year sentence, so the offender would not be eligible for parole until after that time.

Current law requires that those convicted of second-degree criminal sexual misconduct serve a minimum of four years.

The change is needed because many first-degree offenders were pleading guilty to second-degree criminal sexual misconduct and serving only four years in prison, Clark said. First-degree criminal sexual misconduct carries a 12-year sentence.

The amendment also clarified that costs related to criminal sexual misconduct investigations must not be borne by the victim.

The Senate did not concur with the amended House bill March 22, and a conference committee was requested.

Sharing information

**Signed
by
the
governor
★ ★ ★**

Minnesota will become part of an interstate agreement that makes it easier for states to share criminal history data, under a new law.

Gov. Jesse Ventura signed a bill into law March 25 that makes Minnesota a participating state in the National Crime Prevention and Privacy Compact.

Sponsored by Rep. Rich Stanek (R-Maple Grove) and Sen. Charles Wiger (DFL-North St. Paul), the law was passed 125-7 by the House March 19, and 62-0 by the Senate March 8.

The compact is an agreement between member states and the federal government to share criminal history information for use in noncriminal background checks.

Karen McDonald, a director with the Minnesota Bureau of Criminal Apprehension, told members of the House Crime Prevention Committee Feb. 26 that the compact would better ensure that such data is shared among states.

Entering into the compact is not expected to cost the state any money.

In addition, the new law establishes the state commissioner of public safety as the person

PIPPY PROCLAMATION



PHOTO BY TOM OLMSCHIED

Pippi Longstocking, right, played by Caroline Innerbichler, presents a proclamation for continued funding for the Children's Theatre Company to a member of Gov. Jesse Ventura's staff March 25 at the Capitol. Accompanying Pippi was the White Rabbit, center, played by Rachel Flynn, the Grinch, left, played by Patrick Dewayne, and a group of company supporters.

who will oversee the compact's rules and procedures in the state.

The law will take effect Aug. 1, 2002.

HF1934/SF1030*/CH269

EDUCATION



Health insurance study

A bill to create a statewide insurance plan for teachers, previously downgraded to a three-year pilot project, has been further reduced to a study.

Concern of high health care costs expressed by teachers across the state has prompted Education Minnesota to help create legislation to obtain lower premiums in the field.

HF1868, heard in the House Ways and Means Committee March 25, would designate \$200,000 from the tobacco endowment fund for a five-member labor-management health insurance committee to produce a study.

A preliminary report to the Legislature would be due in December 2002, with the final report submitted in December 2003.

Rep. Bill Haas (R-Champlin) presented the plan on behalf the bill's sponsor, Rep. Greg Davids (R-Preston), who was not at the meeting.

Haas said the study will take 18 months because of the complexity of the issue and the amount of data that will have to be collected and examined.

"This is a big step," he said. "We want to look at all alternatives. We need to put together

hypothetical situations."

The bill was amended, upon the request of Rep. Steve Dehler (R-St. Joseph), to require the committee to produce a development plan so there would be no additional delays once the study is completed.

The health insurance plan, according to the bill, must address "the issues of costs, coverage provided, financial feasibility and solvency, and management." The study would compare full coverage through a state pool, use of a multiple-employer welfare arrangement, and use of an existing cooperative.

The bill now goes to the House Rules and Legislative Administration Committee.

A companion bill in the Senate (SF1755), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), awaits action by the full Senate.

ELECTIONS



Ballot box power

Minnesota voters would choose whether to establish an initiative and referendum process in the state, under a measure passed by the House 76-57 March 21.

HF643, sponsored by Rep. Erik Paulsen (R-Eden Prairie), would put a constitutional amendment question on the 2002 general election ballot asking voters whether the state should establish a system where voters adopt laws or amend the constitution directly on the ballot, without first getting legislative approval.

Currently 24 states have a form of initiative and referendum. Paulsen said he deliberately patterned the bill so it would not be like California's system that only requires a certain number of signatures before a question is placed on the ballot. The ballots in California tend to be several pages long each election cycle.

Under HF643 those proposing an initiated law, or a repeal of an existing one, are required to have a petition signed by a number equal to at least 5 percent of statewide registered voters who cast ballots for the governor's seat in the previous general election. In addition, the same percent of signatures must be collected from voters in at least three-quarters of the state's congressional districts.

Paulsen said initiative and referendum would increase voter turnout and create a better-informed electorate in Minnesota. He also said it encourages grassroots activism and has led to important legislation in our country's history, including women's right to vote, campaign finance reform, and tax and environmental reforms.

"This is a tool that will empower Minnesotans in a balanced, responsible manner," he said.

The House rejected two amendments that would have limited some of the scope in what issues could be brought forward by groups. Paulsen opposed both amendments, saying that one of the positive aspects of initiative and referendum is that any group can come forward with any issue.

Rep. Jim Davnie (DFL-Mpls) offered an amendment that would have prohibited initiative and referendum proposals from dealing with religion, public employee pensions, creating or abolishing courts, or changing the jurisdiction of courts. It failed 69-64.

An amendment offered Rep. D. Scott Dibble (DFL-Mpls) would have prohibited proposals from eliminating or diminishing human rights. It also failed by a 69-64 vote.

In the Senate, the bill has been referred to the Senate Rules and Administration Committee, where no action has been taken.

Contribution modification

A House committee backed changes to the way politicians pay for their campaigns March 22.

The House Civil Law Committee approved HF3379, which would modify the campaign finance laws for the state. It now goes to the full House.

Sponsored by Rep. Jim Rhodes (R-St. Louis Park), the bill would allow a political candidate, who has agreed with his or her opponent to prescribed spending limits, to be

released from the limits if the opponent does not adhere to them.

It would also change criminal penalties for violations now prescribed by campaign finance law to civil penalties of up to \$1,000.

Further, it would make it illegal for political committees and funds to donate money to a candidate at amounts greater than the amount legally allowed. The law now only bans the candidate from accepting such contributions.

An approved exception would allow donations from one political committee to another only if the candidate is running for a different office.

As an example, Rep. Eric Lipman (R-Lake Elmo), who offered the exception amendment along with Rep. Tim Mahoney (DFL-St. Paul), said it would allow a House member who decides to run for the Senate to transfer funds legally.

Supporters of a candidate would want the person in the Legislature, and wouldn't care which body the person serves in, Lipman said.

The committee also pushed the effective date of the bill back so the new provisions would go into effect on Aug. 1, 2002 rather than immediately after approval by the governor.

The bill would also make changes regarding lobbyists and organizations that hire them.

Lobbyists would be required every April to update a list of issues that they lobbied for over the previous 12 months. It would also require companies and organizations that hire lobbyists to report how much they actually spend on lobbying, instead of only reporting a dollar range.

The Senate version of the bill (SF3384) includes a \$3,000 civil penalty for violations of campaign finance laws, and includes five sections where criminal penalties are left intact. The bill, sponsored by Sen. John Hottinger (DFL-Mankato) passed 65-0 on March 26.

Two- or four-year terms

Voters would be allowed to decide whether House members should serve two- or four-year terms, under a measure approved by the House Ways and Means Committee March 25.

HF289, sponsored by Rep. Roxann Daggett (R-Frazee), would place a constitutional amendment question on the 2002 general election ballot asking voters whether the state should go to a system of staggered four-year terms in both the House and the Senate.

Under Daggett's proposal, one-half of the members of each body would be elected every two years. If approved by voters the new House term lengths would take effect in 2006.

The current system of having representatives

elected every two years, as opposed to their counterparts in the Senate who serve four-year terms, was to allow greater accountability in one chamber of the Legislature.

But Daggett said with increasing technology, legislators are more accessible than ever before. She said she spends much of her time responding to e-mails from constituents.

Serving for a longer term would allow representatives to focus more attention to the needs of their constituents rather than to the next campaign, she said.

Five states currently elect all their legislators to four-year terms.

Rep. Tom Osthoff (DFL-St. Paul) spoke against the bill, saying that two-year terms keep representatives more active in the community, and that requiring members to run less frequently would isolate them more.

Daggett said that just because members would participate in fewer elections doesn't mean that they would be any less active in their communities. "The burden is on us," she said.

The bill now goes to the House Rules and Legislative Administration Committee.

A companion measure (SF1514), sponsored by Sen. Keith Langseth (DFL-Glyndon), awaits a hearing in the Senate Rules and Administration Committee.

★ EMPLOYMENT

Workers' compensation changes

**Signed
by
the
governor
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Gov. Jesse Ventura signed a law March 22 that clarifies workers' compensation provisions.

Previously, employers or insurers were required to pay \$60,000 to the estate of an employee who has neither left dependents nor designated others to receive death benefits.

Beginning Aug. 1, 2002, the new law will require the payment to be made to the estate within 14 days of when the insurer receives notice that a personal representative for the estate has been appointed.

A requirement for an injured minor or incapacitated person to have a guardian or conservator in order to receive benefits will now only pertain if the total amount of benefit exceeds \$3,000. Previous law required a guardian or conservator regardless of the amount of benefits.

The Department of Labor and Industry will no longer have to keep a list of neutral physicians for use in workers' compensation cases. Officials said they want the provision removed because they have never been able

to develop the list. This section is effective July 1, 2003.

The Workers' Compensation Advisory Council requested changes contained in the law.

The law was sponsored by Sen. Arlene Lesewski (R-Marshall) and Rep. Bud Nornes (R-Fergus Falls). It passed 62-0 in the Senate on March 11, and 131-0 in the House on March 19.

HF3348/SF3136*/CH262

★ ENERGY

Energy act revisions

A bill passed by the House would amend provisions in the 2001 Energy Security and Reliability Act, including those dealing with transmission lines and emissions.

Rep. Ken Wolf (R-Burnsville), the sponsor of the bill (HF2972), said many of the changes address unintended consequences of the legislation. It passed 111-16 March 22. The bill awaits action by the full Senate.

Part of the bill would restore the original intent of a law by switching back a provision amended last year. It relates to statute that allows landowners the option to sell an easement to or require purchase of property from a utility that wants to build a high-voltage transmission line across a landowner's property.

The original law only applied to transmission lines of 200 kilovolts and larger. Last year's law downsized the kilovolts to 100. That change had an impact on a different section of law, Wolf said, so this year's bill put that number back to 200.

A successful amendment from Rep. Loren Jennings (DFL-Harris) would extend the option for transmission lines between 100 and 200 kilovolts to landowners whose property is outside a city or town and situations where the transmission line would cross a national scenic river. The provision would directly affect Jennings' district, where Xcel Energy is proposing to build a 115-kilovolt line across the St. Croix River.

Rep. Phyllis Kahn (DFL-Mpls) offered an unsuccessful amendment that would essentially require the Public Utilities Commission to order utilities to reduce their emissions. The only costs of the amendment would be passed on to ratepayers.

"This is a serious health and safety issue," Kahn said.

Wolf said costs shouldn't be passed down to consumers.

Rep. Jean Wagenius (DFL-Mpls) said she doesn't want to raise costs to ratepayers, but "we have not looked at the other costs," referring to how it would effect the environment and the public's health.

"I think it's a little premature," said Rep. Mark Holsten (R-Stillwater), because utilities haven't had much time to act on the energy legislation passed last year.

The bill also includes a small change regarding the reliability administrator, a new position in last year's law. It says this person may not have been a party to or participant in an energy proceeding at the Public Utilities Commission for at least one year prior to their appointment of administrator.

In addition, the bill would restore more local control to the certificate of need process, and would give the Department of Administration more time to file a plan about conservation in existing public buildings.

★ ENVIRONMENT

Using cleaner fuels

State agencies would be urged to purchase cleaner burning fuels and cars capable of operating on the fuels if those options are available, under a bill on its way to the governor.

The House passed the measure (HF3519/SF2675*) by a 128-1 vote March 26 after amending it. The Senate concurred with the House changes and re-passed it 62-0 on March 27.

Rep. Dennis Ozment (R-Rosemount) and Sen. Jane Krentz (DFL-May Township) are the bill sponsors.

The cleaner fuels, as defined in the bill, include a 20 percent or greater biodiesel blend, compressed natural gas, a minimum 70 percent ethanol blend, hydrogen, and liquefied natural and petroleum gases.

State agencies would be directed to purchase the cleaner fuels if they are "reasonably available" at costs similar to other fuels and the vehicle would be able to run on them.

Further, when agencies purchase a new vehicle for a fleet, the bill would direct the department to buy cars that can run on cleaner fuels if they are comparable in price to other vehicles. Cars powered by electricity or a combination of electricity and fuel would also be preferred.

Rep. Marty Seifert (R-Marshall) raised concerns about the availability of cleaner burning fuels in Greater Minnesota. In response, Ozment said the bill would not place a mandate on the state agencies but instead, direct them to use the fuels when they are available.

The House defeated an amendment to the bill offered by Rep. Phyllis Kahn (DFL-Mpls) that would have required the state to adhere to an environmental sustainability policy.

The amendment defined sustainability as

"the use, development, and protection of resources at a rate and in a manner that enables people to meet their current needs and also provides that future generations can meet their own needs."

It would apply to practices affecting the environment, economy, and community.

Monitoring more water

Signed
by
the
governor
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The Minnesota Pollution Control Agency (PCA) will have the authority to encourage a citizen-based, water quality-monitoring project, under a new law signed by Gov. Jesse Ventura March 22.

The PCA will not be required to develop the program. But if the agency determines that it has adequate resources, the new law directs the PCA to provide technical assistance and training to the volunteers to ensure the water quality data has uniform standards.

The House passed the bill 125-7 March 18 after adopting two amendments. The Senate concurred with the changes and re-passed the measure 59-0 March 19.

Rep. Chris Gerlach (R-Apple Valley) and Sen. Jane Krentz (DFL-May Township) sponsored the legislation.

Under the new law, the PCA is encouraged to seek public and private funds to facilitate the program and create clear guidelines for water quality monitoring procedures.

If the agency takes on the water monitoring initiative, PCA officials are encouraged to post data on the agency's Web site to better inform citizens about the state of Minnesota's water bodies.

Currently only a fraction of the state's lakes and river ways are tested for pollutants.

If the PCA launches the program, the agency is required to make progress reports to the Legislature by Jan. 15 of each odd-numbered year.

The law takes effect Aug. 1, 2002 and expires June 30, 2005.

HF3275/SF2932*/CH253

★ GAME & FISH

Overlimit penalties

Signed
by
the
governor
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A new law will stiffen penalties for those who violate the state's hunting and gaming limit laws, targeting people who illegally take wild game or fish worth more than \$500.

Gov. Jesse Ventura signed the measure

March 25 after the House voted in favor of it 131-1 on March 19. The Senate passed the bill 61-0 March 12.

Effective March 1, 2003, the new law will allow Department of Natural Resources enforcement officers to seize boats, motors, and trailers used in the illegal activity. The DNR is also authorized to seize the hunting licenses of the individuals involved.

If the hunter or hunters unlawfully take more than \$5,000 worth of fish or wild animals, the state will be able to immediately seize all of their hunting and gaming licenses.

People who poach wild animals or fish worth more than \$1,000 will be guilty of a gross misdemeanor.

The law assigns dollar values for fish and wild animals. A canvasback, for instance, is worth \$100 while a trumpeter swan is valued at \$1,000. The base restitution value for a yellow perch is \$10.

The law will allow for those found in violation to petition the DNR commissioner or a court to review the seizure of the license.

People convicted of illegally taking wild animals worth more than \$5,000 will be barred from obtaining a hunting license for five years. The same restriction will apply to those who poach animals worth more than \$500 within 10 years of previous license revocations related to similar offenses.

Commercial anglers will be exempt from the penalties if they are found to "incidentally" take too many fish and then release them.

Rep. Bill Haas (R-Champlin) and Sen. Jane Krentz (DFL-May Township) were the bill sponsors.

HF94/SF222*/CH270

★ GOVERNMENT

Public TV veto

Gov. Jesse Ventura vetoed a bill March 27 that would provide \$7.8 million to public television stations to assist them with a conversion from analog to digital signals.

The bill would also provide \$7.8 million in bonds to the Metropolitan Council for design and construction of bus garages.

A mandate from the Federal Communications Commission requires that all public television stations convert to a digital signal by May 2003.

Beginning in 2003, stations will still be able to broadcast with an analog signal provided they have a digital signal, as well. Once

85 percent of the homes in the station's market are capable of receiving a digital signal, the station will be required to stop using its analog transmissions.

The public television grant was provided in the state government finance law passed during the 2001 special session. The law required the Department of Administration and the Minnesota Public Television Association to negotiate an agreement specifying uses for digital capability to serve state and local government needs before the grants could be distributed.

That stipulation was included in part to address the governor's 1999 veto of a \$113,000 appropriation to public television stations. Ventura said that veto was based on his view that digital TV conversion should be funded by non-state sources.

In his veto message of the \$7.8 million appropriation, Ventura wrote that the bill doesn't provide an adequate level of direct benefit for the state given the investment being made. He said the bill "adds to the state's obligations at a time when we have depleted our reserves and there is still a gap between revenues and expenditures, both in the current budget and the next."

The bill would fund the public television appropriation by transferring a general fund appropriation to the Met Council for the bus garages. The Department of Finance would then sell bonds and appropriate the proceeds to the council.

Rep. Dave Bishop (R-Rochester) and Sen. Keith Langseth (DFL-Glyndon) sponsored the measure.

HF197*/SF107/CH280

State contract debate

A bill that would remove same-sex domestic partner benefits from contracts negotiated between the state and its two largest employee unions last fall was passed by the House 78-52 March 22.

The measure (HF3575/SF3208*), sponsored by Rep. Dave Bishop (R-Rochester) and Senate Majority Leader Roger Moe (DFL-Erskine), would reject labor contracts that provide the same-sex provision. Contracts that did not contain the clause and provisions of negotiated compensation plans without the benefit would be approved under the measure.

Though the contracts would officially be rejected, the bill specifies that until subsequent agreements are reached between the bargaining units and the state, the remainder of the current negotiated contracts continue to be in effect, with the exception of the same-sex domestic partner benefit.

The bill would expand an employee's sick leave to allow time off for an illness, disability, or death of a "regular member of the employee's immediate household for a reasonable period."

State law authorizes the commissioner of the Department of Employee Relations to enter into agreements with those representing the various state employee groups. The Legislature is required to accept or reject the bargained agreements.

Speaking in support of the bill, Rep. Tony Kielkucki (R-Lester Prairie) likened the Legislature's role to that of a corporation's board of directors that asks its negotiator to arrange for an agreement representing the wishes of the House and Senate. He said the Legislature sent a clear message last year that it didn't want the benefit included in the contracts.

"We said (the same-sex partner benefit) should not be a part of the bargaining process," Kielkucki said.

Last session the House voted to accept an amendment to the omnibus state government finance law that would limit the benefits state employees get to only cover an employee, his or her spouse, dependent child, or dependent grandchild. Other allowances would have been made for legally adopted children and other similar arrangements.

Although the measure initially passed the House in 2001, it was removed in conference committee.

House Minority Leader Tom Pugh (DFL-South St. Paul) said that although the majority in the House voted to prohibit the benefit in 2001, the majority of the Legislature did not. He said the bill would establish a precedent of the Legislature setting in law what should be included in bargained agreements.

The Senate version of the bill would remove the Legislature's role in accepting or rejecting contracts.

A conference committee will attempt to work out the differences between the bills. If no agreement is reached and approved by the House and Senate, the contracts would have to be renegotiated.

Unicameral rejected

At one point during the March 25 House Ways and Means Committee hearing of a bill (HF2764) that would put a unicameral question before voters this fall, Rep. Tom Osthoff (DFL-St. Paul) turned to the audience and joked that the entire Independence Party caucus was in attendance.

Members from Gov. Jesse Ventura's staff, including Minnesota Planning Director Dean Barkley, and Jack Uldrich, a deputy director with the agency and chair of the state's

Vetoed
by
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governor
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Independence Party, watched as the committee voted 17-10 against the bill.

Sponsored by Rep. Ron Abrams (R-Minnetonka), HF2764 would propose a constitutional amendment to have the state adopt a one-house legislature beginning in 2007. Members of the body would be elected to two-year terms.

Barkley read a letter written by Ventura urging members to approve the bill so that the entire House could vote on the issue.

"If you believe that bicameral is best, then put it to the test. If we are truly here to make government more open, then let's give the citizens a chance to speak," Ventura wrote.

The committee adopted an amendment offered by Abrams removing a provision proposing a second constitutional amendment question that would have the state adopt an initiative and referendum process. That provision was added during a March 6 House State Government Finance Committee hearing of the bill.

Four days earlier the House passed a separate bill (HF643), sponsored by Rep. Erik Paulsen (R-Eden Prairie), that would put the initiative and referendum amendment before voters.

House Speaker Steve Sviggum (R-Kenyon) spoke in favor of the bill saying that out of courtesy to the governor the full body should vote on the issue.

Sviggum said the current system gives the speaker the power of ultimately deciding the fate of issues based upon whom the speaker assigns to conference committees.

He said that the list of special interest groups representing labor, business, political parties, and others who have spoken against current and past unicameral proposals is an indication that those groups believe a one-house body would reduce their influence in the process, and thus was a reason members ought to support the bill.

A unicameral proposal in the Senate (SF2505), sponsored by Sen. Dave Kleis (R-St. Cloud), awaits a committee hearing.

Claims bill passes

Individuals injured while performing community service or correctional sentencing-to-service work would receive their claims against the state, under a bill passed by the House 128-2 on March 22.

The annual claims bill (HF3643*/SF3403) would appropriate \$17,673 to fund medical services claims.

By law, claims of less than \$500 are investigated by the state or local agency responsible for supervising the work to determine if the claim is valid and if the loss is covered by the claimant's insurance. Approved claims are then submitted to the Department of Corrections or any state

FORMER SPEAKER PASSES AWAY



PHOTO BY ANDREW VON BANK

Former House Speaker Lloyd Duxbury, Jr., is welcomed in the House chamber in January 2001.

Former Speaker of the House Lloyd Duxbury, Jr., died March 23 after a brief illness. He was 80.

Duxbury, a conservative from Caledonia, served as speaker for 8 years, one of the longest spans served by a single speaker in the House. It was matched only by Speaker Lawrence Hall in the 1940s.

He was one of the last speakers to preside over alternate-year sessions in the nonpartisan Legislature. During those

sessions the Legislature enacted laws such as the sales tax.

Duxbury was living in St. Paul at the time of his death.

During his life he worked as a lawyer and was nominated U.S. Attorney for Minnesota by President Nixon in 1969. However, he declined the partisan post and his family moved to Washington where he worked as an attorney and lobbyist for Burlington Northern Railroad.

department that receives a legislative appropriation to make the payment.

A claim of more than \$500 requires legislative approval.

Compensation for the claims is limited to reimbursement for medical expenses and compensation for permanent total disability, permanent partial disability, or death. Payments for pain and suffering are not allowed under the law.

The bill awaits action in the Senate Finance Committee.

Rep. Bill Haas (R-Champlin) and Sen. Steve Murphy (DFL-Red Wing) are the sponsors.

GREATER MINNESOTA



New cities created

Two new Minnesota cities may be created, under a new law signed by Gov. Jesse Ventura March 26.

The new law would allow the

cities of Rockville and Pleasant Lake to consolidate with Rockville Township into a single city.

The cities of New London and Spicer would also be allowed to consolidate with the township of New London under the measure.

Under previous law, consolidation was allowed between two cities but not between a city and a township.

Rockville Mayor John Koerber told the House Local Government and Metropolitan Affairs Committee Feb. 6 that the consolidation will enable the community to provide better services to residents while cutting taxes "and maintaining the quality of life we enjoy."

"This will allow us to control growth aspects and develop the commercial base," he added.

The communities involved are required under the new law to hold public hearings after developing a consolidation plan. The plan must be developed within one year after the law's effective date, March 27, 2002.

The governing bodies of each participating city and town are required to approve the consolidation plan. Then voters in each community must approve the consolidation in a referendum election.

Signed
by
the
governor

A provision of the new law also permits the city of Montgomery, by ordinance, to abolish its ward system and provide for election of at-large council members. The law requires the city to adopt the ordinance by July 1 of the year in which the wards would be eliminated.

Rep. Doug Stang (R-Cold Spring) and Sen. Michelle Fischbach (R-Paynesville) were the sponsors of the law.

HF2933/SF2546*/CH296

HEALTH



Releasing prescriptions

**Signed
by
the
governor
★ ★ ★**

Patients have a right to their contact lens prescriptions under a new law.

The governor signed the bill March 22. The House passed the measure 127-0 on March 19 after it cleared the Senate 63-0 one week earlier.

Rep. Erik Paulsen (R-Eden Prairie) and Sen. Sheila Kiscaden (R-Rochester) were the sponsors.

Under the new law, any professional performing an eye exam, including an optometrist or physician, must provide patients a copy of their prescription after an exam and fitting. The patient, however, may be required to pay for the exam to receive the prescription.

The contact lens prescription will be valid for two years unless a different expiration date is warranted for the patient's eyesight.

Eye doctors will also be required to promptly respond to requests from other professionals who seek to verify the patient's prescription.

Further, optometrists and physicians will be barred from charging a fee for releasing the prescriptions and requiring patients to purchase a specific brand of lenses only available through the prescribing eye doctor.

Failures to comply with the new law will result in disciplinary action by the state Board of Optometry.

The law takes effect Aug. 1, 2002.
HF2603/SF2627*/CH259

Fulfilling one's wishes

A bill that would ensure the people who designate themselves as organ donors on their driver's licenses are actually donors after their death cleared the House March 22.

Rep. Phyllis Kahn (DFL-Mpls), the House sponsor of the measure (HF2473), said most people assume that marking the box on their driver's license form means they will be a

donor. But it turns out that designation is often ignored or overridden by family members after the person's death, she said.

The bill would make sure that the donor's wishes are followed, she said. Donors would still be able to change their donor designation at any time, she added.

During a Jan. 30 House Civil Law Committee hearing, Kathy Bakkenist, chief operating officer of LifeSource, an independent nonprofit organ procurement organization that matches donors to recipients, said that since organs need to be removed quickly after one's death, family members must make a fast decision about organ donation.

She said about 2,100 people in a region that includes Minnesota, western Wisconsin, and North and South Dakota are waiting for organ transplants. Nationwide, about 16 people waiting for a transplant die each day, Bakkenist said.

The measure passed 129-0 in the House, and it awaits action by the full Senate, where Sen. Jane Ranum (DFL-Mpls) is the sponsor.

Nursing wage rates

**Signed
by
the
governor
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On March 26, the governor signed into law a measure regulating temporary nursing agencies that supporters say will end litigation stemming from a law enacted last year.

The measure (HF2664/SF2459*), sponsored by Rep. Fran Bradley (R-Rochester) and Sen. Dallas Sams (DFL-Staples), will revise a 2001 law that caps temporary nurses' wages at 150 percent of what permanent workers earned.

The House passed the new law 133-0 on March 21 after the Senate endorsed it 53-0 one week earlier.

The legislation was drafted as part of an effort to rein in escalating costs to the state's nursing homes as Minnesota faces a serious nursing shortage — officials estimate 3,500 openings for nurses statewide.

Agencies objected to the cap and battled the prior law in court. The companies said the law neglected to factor in payroll taxes and differences in pay for weekend shifts.

The new law factors in those costs while maintaining the targeted 150 percent rate cap. The new rate cap will go into effect April 10, 2002.

Bradley said the temporary nursing agencies had assured him that the lawsuit would be dropped once the bill became law.

"This marks an important step forward," Bradley said.

Additionally, the new law will no longer exempt "in-house" temporary nursing pools from the regulations.

It will require the temporary nursing agencies to secure liability protections, maintain workers' compensation for employees, and register with the Department of Revenue. Further, the agencies will be required to document that independent contractors had not been hired.

John Hustad, who represents the Health and Housing Alliance, a group that primarily includes nonprofit nursing homes, testified earlier in the session that some agencies had operated with unsound business practices.

"We have found that there are some temporary agencies who, for a lack of a better phrase, operate out of the trunk of their car," Hustad said before the House Health and Human Services Policy Committee.

Rep. Luanne Koskinen (DFL-Coon Rapids) spoke in favor of the new law during debate on the House floor.

"This is appropriate legislation that helps the nursing homes," she said. "It puts a halt to the increasing costs to nursing homes that temporary workers present."

HF2664/SF2459*/CH287

Guest dental licenses

A bill designed to provide low-income Minnesotans living in border communities with more access to dental care easily gained approval from the full House on March 21.

Sponsored by Rep. Kevin Goodno (R-Moorhead), the bill (HF3200) passed 129-0. The Senate endorsed the measure March 27.

The measure would allow licensed professionals in bordering states to receive guest licenses to perform dental work on patients in Minnesota. It transfers \$3,000 from the state government special revenue fund to the state Board of Dentistry for the program.

The dentist or dental hygienist would be required to work at a non-profit provider that serves patients who face difficulty accessing dental care.

Further, the professional would be required to pay a \$50 annual fee to the state Board of Dentistry.

Professionals from bordering states would be obligated to abide by Minnesota regulations. If the Minnesota Board of Dentistry revokes the guest license or disciplines the professional for any reason, that action would be reported to the bordering state's professional board.

The bill would take effect the day following enactment.

Sen. Sheila Kiscaden (R-Rochester) is the Senate sponsor. It now goes to the governor.

Organ donation

Signed
by
the
governor
★ ★ ★

Gov. Jesse Ventura signed into law March 27 a plan to increase awareness about organ donation.

Sponsored by Rep. Carol Molnau (R-Cologne) and Sen. Linda Scheid (DFL-Brooklyn Park), the new law will require driver's education programs to teach new drivers about organ donation. Public and private school driver's education classes, as well as commercial driver training schools, will be required to teach students about their options.

It will also require schools to inform students of the opportunity to become a donor when they apply for a driver's license, and stress the importance of sharing the decision to be an organ donor with family members.

From now on, the State driver's manuals published after Aug. 1, 2002, will also contain information about organ donation.

During the Feb. 26 House Transportation Policy Committee meeting, Molnau said driver's education is a good time to teach people about donation because they are about to apply for a license.

The state now allows drivers to check a box on their driver's license application or renewal forms to indicate they wish to donate their organs when they die.

Most people support organ donation but many don't think about it when applying for or renewing their license, Molnau said.

The bill passed the House 129-0 on March 22 and the Senate 53-1 on March 4.
HF3328/SF3278*/CH171

Reducing medical costs

Signed
by
the
governor
★ ★ ★

A new law signed by Gov. Jesse Ventura March 27 will allow Hennepin County to save costs on purchases for the Hennepin County Medical Center and other clinics.

Under previous law the medical center contracted with a consortium to participate as a member of a group purchasing program. Municipal purchasing law requires the county to contract with the lowest bidder that meets specifications.

Sponsored by Rep. Ron Abrams (R-Minnetonka) and Sen. Martha Robertson (R-Minnetonka), the new law will allow the county to award bids based on "best value." The county will be able to base contracts on behalf of the medical center, ambulatory health center, and other clinics using price as a factor, but not necessarily as the lone determination.

Abrams said that through participation in the group purchasing program the medical center saves around \$1.6 million per year by accessing reduced prices for medical supplies, equipment, and pharmaceuticals.

The new law specifies that the county is authorized to enter into a contract with a private or public cooperative purchasing organization on behalf of medical centers and clinics if it can be established that the contracts have been awarded through a competitive request for proposal process.

"This would maintain the status quo and is a way to save money at HCMC," Abrams said.

The new law is effective Aug 1, 2002.
HF3224/SF3034*/CH302

HIGHER EDUCATION

★

Regulating agents

A plan to register agents wanting to associate with student-athletes in Minnesota passed the full House 81-47 on March 26.

Sponsored by Rep. Peggy Leppik (R-Golden Valley), the measure (HF2719) would require agents to register with the state commerce commissioner before contacting a prospective client.

She said the bill was drafted by the National Conference of Commissioners on Uniform State Laws, has been enacted in 11 states, and is pending in many others. It is designed to standardize state regulations that govern agents conduct with student-athletes.

"There have be too many issues nationwide of the unethical performance of agents jeopardizing the eligibility of student-athletes," Leppik said. Although there have been no problems in Minnesota that she is aware of, she noted that "Minnesota is not an island unto itself."

An agent wishing to register in the state would be required to pay a \$500 fee that would be valid for two years. Renewals would cost \$400. Parents wishing to represent their child would be exempt from the fee.

Agents contacted by student-athletes, but not yet registered with the state, would be required to do so within seven days, and they cannot enter into an agreement until registered.

The bill calls for a contract to clearly state that signing with an agent could affect the student-athlete's eligibility. It would also give student-athletes 14 days to cancel an agreement after it is signed. Furthermore, once an agreement is signed the student-athlete's school would need to be notified within 72 hours, or before the next game, whichever is earlier.

Leppik said representatives from the

University of Minnesota and St. Cloud State University expressed support for the plan. The National Collegiate Athletic Association (NCAA) also is supportive.

During floor debate, Rep. Bob Milbert (DFL-South St. Paul) and Rep. Mark Buesgens (R-Jordan) called the plan "a solution looking for a problem."

Milbert said the bill tells student-athletes that they are not smart enough to tell good agents from bad ones, while Buesgens added, "You can't legislate common sense and that's what this does."

The bill, sponsored in the Senate by Sen. Deanna Wiener (DFL-Eagan), awaits a hearing before the Senate Rules and Administration Committee.

HOUSING

★

Seller disclosure

People selling their homes should be required to tell buyers if there is something wrong with the residence, the House decided March 22.

The House voted 98-32 to pass a bill (HF3079/SF2697*) that would require sellers to disclose any known problems with the house or property that could "adversely and significantly" affect the buyer's interest or use of the property. The bill is sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Ann Rest (DFL-New Hope).

Certain property transfers, such as those between family members or those related to divorces or inheritance, would not be included.

The bill would also provide the option of a sale "as is" when both parties agree that no action will be taken.

Holberg said the bill would protect buyers from purchasing a home with known problems by holding the seller liable for not disclosing the problems.

It would also shield real estate agents from a lawsuit for not disclosing problems that they were not told about by the seller.

There are certain protections for sellers who did not disclose problems because they were unaware of the problems or did not have the technical knowledge to determine a problem existed.

A new law, signed by the governor March 26, clarifies that real estate agents are not liable for disclosing certain items about a house, such as if the house were the scene of a homicide or suicide and if it were located near a nursing home or group home.

Rep. Jean Wagenius (DFL-Mpls) worried

that the language in the bill was too vague and should be expanded to include any problems the seller knew about or should have known about.

As it is, the bill encourages people to not investigate potential problems with their homes before they sell them, she said.

"You are putting a premium on a lack of knowledge," she said. "The alternative to knowing is not knowing and moving."

Most people would investigate suspected problems with their homes in order to keep themselves and family safe, Holberg responded.

Rep. Ray Vandever (R-Forest Lake), agreed, noting that the bill would place the responsibility on the person who should be most aware of the problem.

The bill passed the Senate 61-2 on March 25. It now goes to the governor.

Affordable housing prices

A new housing development, Arboretum Village, has recently gone up in Chanhassen. The western Twin Cities suburb granted the developers several breaks on regulatory provisions, such as zoning.

About one-half of the units were affordable at first, but the city had no ability to require the owner to keep those costs manageable for low- to moderate-income households.

A bill passed by the House would give "local governments another tool for creating affordable housing, specifically sustainable affordable housing," said Bob Generous, Chanhassen senior planner, in an interview.

For housing prices that are "going up double-digit (percentages) every year," he said, the bill would require cost qualifications to maintain affordability over time.

The bill (HF3169/SF2881*) would allow cities to impose the following requirements on affordable housing:

- certain sale prices or rents for the affordable units;
- maximum income limits for buyers or renters of the units;
- means for maintaining long-term affordability, by using equity sharing, for example; and
- land trust agreements for the units.

A land trust is when an organization, usually a nonprofit, leases a lot to developers, who pay rent on the land over time. Developments built on leased land are much less expensive than those built on purchased land.

A city would be allowed to impose such requirements for up to 20 years.

Rep. Ray Vandever (R-Forest Lake) and Sen. Richard Cohen (DFL-St. Paul) sponsor

the bill. The House passed an amended bill 127-0 on March 26. The bill now returns to the Senate where it passed 39-19 on March 21.

HUMAN SERVICES



Employee screening

Signed
by
the
governor
★ ★ ★

A new law adds a number of crimes to a list of offenses barring applicants from jobs at facilities serving the state's most vulnerable citizens.

The governor signed the measure on March 26.

It passed the House 133-0 on March 21 after clearing the Senate 63-0 eight days earlier.

Additional offenses that will ban people from caring for children or adults at a licensed family daycare or a state facility include first- or second-degree manslaughter, aggravated robbery, kidnapping, and stalking.

The commissioner of the Department of Human Services will not be allowed to set-aside disqualifying records with those crimes.

The department's practice of setting aside the records and subsequently employing people with serious criminal backgrounds at facilities serving mentally retarded citizens and other vulnerable people came under fire last fall in news reports.

The law will allow the commissioner to continue using discretion in granting set-asides for other criminal offenses. However, the department will be required to inform the employee's supervisor of the individual's offense.

Rep. Jim Abeler (R-Anoka), the House sponsor, said after an examination of the department's policies, he found that overall, the system works well.

The state conducts thorough criminal background checks, he said, and the department has hired a relatively small number of people who would have otherwise been disqualified due to their criminal pasts. Of those granted set-asides, only two went on to re-offend, he said.

Rep. Fran Bradley (R-Rochester) said news reports failed to put the problem into context as "99.9 percent do wonderful work."

Nevertheless, Rep. Luanne Koskinen (DFL-Coon Rapids) said the state made a "serious mistake" in hiring people with criminal pasts and as a result, put "our most vulnerable citizens at risk."

Under the new law, the department will be directed to further review its criminal screening and set-aside policies. The report to the Legislature will be due Jan. 15, 2003.

The state Supreme Court will also be

required to make recommendations to the Legislature by July 15, 2003 on how best to track civil actions stemming from sexual abuse incidents.

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

The new law will go into effect Aug. 1, 2002.
HF2757/SF2692*/CH292

Incident reporting mandated

Signed
by
the
governor
★ ★ ★

Physical aggression between mentally retarded residents at licensed group homes and other state facilities will warrant reports to the individuals' legal representatives and case managers under a new law.

Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. John Marty (DFL-Roseville), the law would add "consumer-on-consumer" aggression to a list of incidents caregivers are required to keep guardians informed about.

Under the law signed by the governor March 26, a caregiver will be obligated to report the incident within one day of learning of the problem.

The bill cleared the House on a 133-0 vote March 21 after passing the Senate 64-0 March 14.

Besides physical aggression, the following circumstances will be added to the state's list of reportable incidents: medical emergencies, unauthorized absences, and coerced sexual activity between residents.

When the incident involves two residents, the caregiver is barred from disclosing "personally identifiable information" to the legal representative about the other resident.

If the caregiver has reason to believe the resident's legal representative or case manager is involved in the wrongdoing, he or she will not be required to report the incident to that person.

The information in the report will need to include the nature of the incident, the agency that received the report, and the telephone number of the Department of Human Services licensing division.

The new law goes into effect Aug. 1, 2002.
HF3091/SF2764*/CH289

Full disclosure

A new law will require that foster parents be informed of children's communicable diseases before they begin caring for them.

The governor signed the measure into law March 26.

Signed
by
the
governor
★ ★ ★

Rep. Barb Sykora (R-Excelsior), the bill sponsor, said disclosure practices vary widely among the state's counties. Some officials have expressed concern that informing foster parents about the diseases would violate the state's Data Practices Act, she said.

Under the new law, counties and child-placement agencies will be bound by the disclosure requirement. It will also apply to adults with communicable diseases who need care by foster parents.

The agencies will further be obligated to determine whether the foster parents are able to care for the child.

That provision troubled Rep. Neva Walker (DFL-Mpls) when the House Health and Human Services Policy Committee heard the bill in February.

Walker said it would give counties and private agencies too much discretion.

Rep. Betty Folliard (DFL-Hopkins) suggested that the counties provide foster parents with proper training about how to handle the child's medical needs so as not to limit the number of eligible foster parents.

The House passed the measure March 21 on a 133-0 vote. Sen. Sheila Kiscaden (R-Rochester) is the bill sponsor in the Senate, which backed it 64-0 on March 14.

The new law goes into effect Aug. 1, 2002.
HF2932/SF2614*/CH290

Hospice bill of rights created

**Signed
by
the
governor**
★ ★ ★

The governor signed a measure March 22 that will establish a bill of rights for hospice care patients.

The state will now be authorized to suspend a caregiver's license if the terminally ill patient's rights are violated. The provider will be entitled to receive notice from the Department of Health and a hearing.

Under the new law patients are entitled to 22 rights ranging from the right to "be free of physical and verbal abuse" to the right to refuse treatment. The law will take effect when the Department of Health updates the licensure guidelines regulating hospices under Minnesota Rules.

The House first passed the law on March 7 by a 131-0 vote. The Senate then amended and approved the measure 57-0 on March 12, after initial passage by the House.

After concurring with the Senate amendments, the House once again passed the bill March 18 on a 127-0 vote.

Rep. Kevin Goodno (R-Moorhead) and Sen. Linda Berglin (DFL-Mpls) sponsored the legislation.

Hospice caregivers will now be required to

inform prospective patients of their rights before they sign on to a care plan.

Once the patient has agreed to a care plan, the hospice provider must keep them informed of all medical costs even if the treatment is billed to a third party.

Medical and financial information will also be kept confidential, but patients have the right to access their own records.

Furthermore, the patient is entitled to have their pain managed at a "desired level of comfort."

The patient can assert his or her rights, or if the individual is deemed incompetent, the family can assert rights on their behalf.

If hospice providers fail to meet these standards, the state will be allowed to take action in court.

HF2531*/SF2381/CH252

★ INSURANCE

No more free steaks

A veto by Gov. Jesse Ventura of a bill changing the laws relating to auto glass insurance to more closely align them with other automotive repairs did not hold up.

The House overrode the veto 107-24 on March 26 and the Senate voted 52-13 to do the same one day later, making the bill law.

Sponsored by Rep. Ken Wolf (R-Burnsville) and Sen. James Metzen (DFL-South St. Paul), the new law changes the previous standard by which insurance companies had to pay glass claims from a "competitive price" to "fair and reasonable."

Previous law required insurance companies to pay market price for glass replacement as determined by a survey of costs charged in communities around the state.

The new law also prohibits glass replacement companies from offering inducements, such as a box of steaks, to consumers. Prior law restricted such incentives to items with a value of \$35 or less.

In his veto message, Ventura wrote that the bill does not support consumers and consumer choice. He said just taking into account the cost of the repair would ignore important factors such as advertising and service costs and would be detrimental to small shops.

Ventura also said no evidence exists that the bill would cause premiums to decrease.

Wolf said the state changed its laws in 1991 so that auto glass claims were treated differently from auto body claims. The law required insurance companies to pay all "reasonable" costs, which he said led to companies being

required to pay the cost of whatever was billed.

A compromise between the auto glass repair and insurance industries led to Wolf sponsoring the law that created the market survey, but he said that did not work.

According to information provided by American Family Insurance on claims filed between Jan. 1, 2001 and Oct. 31, 2001, the range of the costs was from \$334 to \$1,064. Wolf said that the national average is \$368 and in Minnesota it is \$441.

A compromise reached in the conference committee process addressed concerns expressed by members about the practice of "steering" where insurance companies allegedly point consumers to preferred repair shops.

The new law requires that when an insurer recommends a vendor, the insurer would be required to provide the following disclaimer: "Minnesota law gives you the right to go to any glass vendor you choose, and prohibits me from pressuring you to choose a particular vendor."

The new law is effective March 28, 2002. It is the eighth time the Legislature has successfully voted to override a Ventura veto.

HF2570*/SF2553/CH283

Rural health plans

A proposal to design health insurance plans tailored to the needs of rural Minnesotans is working its way through the Legislature.

Under a bill passed 130-0 by the House on March 22, the state Department of Health would be directed to designate five communities in Greater Minnesota as sites for the rural health maintenance organization (HMO) demonstration projects.

Communities outside of the seven-county Twin Cities metropolitan area would be eligible.

The House passed the measure (HF2935/SF2909*), sponsored by Rep. Maxine Penas (R-Badger) and Sen. Dallas Sams (DFL-Staples), after substituting the House language for the Senate wording.

The measure passed 62-0 in the Senate on March 19.

Under the bill, the state would be able to waive certain rules that apply to other HMOs for purpose of the demonstration projects.

Goals for those who participate in the projects include becoming better informed of healthcare cost increases and engaging in the design of health benefit options.

Rural lawmakers rose on the House floor to support the bill.

Rep. Ted Winter (DFL-Fulda) said the plan would "bring people together" to design plans

that meet the needs of rural residents.

The health improvement and purchasing coalition involved in establishing the rural projects would be required to present annual progress reports to the health commissioner and the Legislature.

The bill will now be worked on in a House-Senate conference committee.

Property insurance limits

**Signed
by
the
governor**
★ ★ ★

Insuring property for more than its value must now amount to the replacement cost, under a new law.

Previous law stated in excess of "fair value of the property."

Rep. Connie Ruth (R-Owatonna), sponsor of the law, said the legislation would help the Department of Commerce.

She said, as an example, an owner of a lake-property building worth \$50,000 on land worth \$150,000 has been asked by land insurers to pay for \$200,000 worth of coverage.

The new law also prohibits lenders from requiring excessive insurance, and provides that the Department of Commerce may penalize violators.

Gov. Jesse Ventura signed the law March 26, and it is effective March 27. The law was sponsored in the Senate by Sen. John Hottinger (DFL-Mankato), and received a 59-0 vote on March 22 from that body. The House passed the measure March 21 on a 131-0 vote.

HF3222/SF2953*/CH295

Accident victim protection

**Signed
by
the
governor**
★ ★ ★

A new law will clarify that auto accident victims are entitled to receive no-fault medical benefits. The governor signed the measure March 25.

Previous statute did not clearly state that these victims could receive full medical benefits for necessary care without the restrictions of managed care requirements.

The new law, effective June 30, 2002, will prohibit health insurance companies from contracting to provide managed care services to no-fault claimants.

Victims of accidents are generally unaware they are being pushed into managed care provisions, said Rep. John Tuma (R-Northfield), the law's House sponsor. He said the legislation is supported by several medical organizations.

The Senate passed the law, sponsored by Sen. Dallas Sams (DFL-Staples), March 13 by

a vote of 61-0. The House passed the measure March 19 on a 130-0 vote.

HF1413/SF1226*/CH274

★ LOCAL GOVERNMENT

Public finance bill passes

A bill that would make a number of changes in the authority of local governments to issue bonds and incur debt passed the House March 27 by a 115-15 vote.

The House Taxes Committee amended the Senate bill March 22 to incorporate the public finance provisions.

The Senate version of the bill (HF2836/SF2572*), sponsored by Rep. Ron Abrams (R-Minnetonka) and Sen. John Hottinger (DFL-Mankato), would allow the Region Nine Development Commission the authority to incorporate. That bill passed the Senate 62-0 on March 8.

After the House amended the bill, it now contains a number of regional projects including one that would allow the Metropolitan Council to issue up to \$54 million in bonds to help purchase new buses.

Abrams said the council requested bonding authority of \$50 million to purchase buses. He said that members who worked on the bill thought that buying new buses was a better approach than repairing older ones and buying used ones.

The bill also would allow Anoka County to issue up to \$12.5 million in bonds to finance the costs of designing, constructing, and acquiring infrastructure and equipment for an 800-megahertz statewide public safety radio system.

Rep. Dave Bishop (R-Rochester) offered an unsuccessful amendment that would have allowed Olmsted County the same bonding authority.

Rep. Philip Krinkie (R-Shoreview) spoke against Bishop's amendment saying that Anoka County has already established the "backbone" of the system and is ready to move on to the next phase. Krinkie said the House bonding bill (HF3618) contains a public safety radio system provision relative to where Olmsted County fits into the statewide project.

Another amendment that received much discussion was offered by Rep. Richard Mulder (R-Ivanhoe). It would have deleted a section that would allow the Southwest Regional Development Commission to levy an amount sufficient to retire the remaining debt on the Prairieland Exposition Center project in Worthington.

The amendment would have required each county board in the development region to approve the levy. Mulder said the project was

a failure, and local taxpayers should not be required to pick up the costs.

Abrams said the alternative was to allow the commission to declare bankruptcy, and that allowing a local unit of government to do that would establish a bad precedent. The amendment did not pass.

The amended bill now returns to the Senate.

Asphalt plant partnership

**Signed
by
the
governor**
★ ★ ★

Gov. Jesse Ventura signed a new law March 22 that will allow the city of Minneapolis to partner with a private company in building an asphalt plant.

Currently there are two existing asphalt plants within two blocks of each other in a Minneapolis neighborhood.

Sponsored by Rep. Dennis Ozment (R-Rosemount) and Sen. Linda Higgins (DFL-Mpls), the new law allows the city to enter into negotiations with a company. Ozment said the public/private partnership would allow for cleaner asphalt production in the future.

Though the city has been discussing the prospect with Bituminous Roadways in Minneapolis, the law does not specify which company the city must ultimately contract with.

Rep. Jim Davnie (DFL-Mpls), whose district includes both existing plants, said the two individual plants are old, inefficient, "a source of pollution, and a concern to the neighbors."

He added that building the new plant on one of the existing sites would reduce air pollution while keeping jobs in the neighborhood.

The new law will allow the joint venture to occur but will require the city to issue a request for proposals to allow competitive bidding for the project.

Officials representing the private company told the House Local Government and Metropolitan Affairs Committee Feb. 6 that the bill ensures a competitive process so that there is no advantage to any potential bidders, and would likely save 40 percent to 50 percent in asphalt production costs.

The new law requires the joint venture to provide a lower cost and reliable supply of asphalt for a 25-year period when compared to the current city facility.

HF2796*/SF2670/CH264

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County position changes

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governor
★ ★ ★

Carlton and Pine counties will be added to the list of counties changing elected positions to appointed ones, under a new law signed by Gov. Jesse Ventura March 22.

The new law, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Becky Lourey (DFL-Kerrick), passed the House 95-35 March 19, and the Senate 48-8 March 4.

It allows the Carlton County board, by a resolution approved by 80 percent of its members, to change the recorder position from an elected one to an appointed one.

The law also permits Pine County to use the same process to combine the assessor and recorder positions into one and make the newly created position appointed rather than elected.

Ventura signed similar new laws for Polk and Steele counties the same day.

Similar to legislation passed in previous years, each of the bills contains a reverse referendum provision that allows voters to petition to request a referendum on the issue.

Hilty said the increasingly technical duties of the positions are reflected in the number of bills that have come forward on behalf of counties.

"If there was a number of people standing in line for county recorder (positions) then we wouldn't be seeing these bills year after year," he said.

The law will take effect upon local approval.
HF2753/SF2590*/CH263

Recorder appointee

Signed
by
the
governor
★ ★ ★

A new law signed by Gov. Jesse Ventura March 22 allows the Steele County recorder to become the latest county official to join the list of positions allowed to be appointed rather than elected.

The law, sponsored by Rep. Connie Ruth (R-Owatonna) and Senate Minority Leader Dick Day (R-Owatonna), allows Steele County to change the position to an appointed one by a four-fifths vote of the county board. The measure requires the county to provide voters an opportunity for a reverse referendum on the issue.

The governor also signed similar new laws for Polk and Carlton counties March 22. Last year the Legislature approved similar measures for Cass, Goodhue, Hubbard, and Wright counties. Several other counties have received similar authority in previous years.

State law allows all the state's counties to change the positions of auditor, treasurer,

sheriff, and recorder to appointed rather than elected by a referendum.

Ruth said county officials brought the issue to her. Officials testified in the House Local Government and Metropolitan Affairs Committee hearing Feb. 20 that the recorder position has increasingly become more technical in nature. The position involves decisions about office operations but has no broad county policy-making authority.

The law is effective upon local approval.
HF3074/SF2834*/CH256

Appointing in Polk County

Signed
by
the
governor
★ ★ ★

Candidates for the county recorder and auditor-treasurer positions in Polk County may be able to put away their election brochures, under a new law signed by Gov. Jesse Ventura

March 22.

The new law, sponsored by Rep. Bernie Lieder (DFL-Crookston) and Senate Majority Leader Roger Moe (DFL-Erskine), allows the county board, by an 80 percent vote, to change those two positions so that they may be appointed rather than elected.

Lieder said the bill is similar to two other new laws signed by Ventura March 22 allowing Steele and Carlton counties to appoint their recorder position pending approval by the county board, and allowing Pine County to combine its assessor and recorder positions into one and make the new position appointed.

Because the duties of the positions are becoming more technical, county officials

requested the authority to appoint people to the jobs.

Like previous legislation allowing other counties to appoint certain positions, the bill contains a provision that would require the county to provide for a reverse referendum thereby allowing voters to restore the elected nature of the position by a petition signed by at least 10 percent of registered voters of the county.

The law is effective upon local approval.
HF2652/SF2434*/CH258

METRO AFFAIRS



Livable communities program

Signed
by
the
governor
★ ★ ★

Gov. Jesse Ventura signed a new law March 21 that will allow cities to opt out of a Metropolitan Council program rather than having to opt in every year.

The new law, sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Ann H. Rest (DFL-New Hope), will allow cities to remain in the council's Livable Communities Program until they opt out.

Holberg said city councils were previously required to pass a resolution each year choosing to be a part of the program. The law reverses that process by allowing cities, once they have enrolled, to remain in the program until they vote to opt out.

"This will take a step out of the process," Holberg said.

The program awards grants to cities to clean up polluted land, creates affordable housing

TARGETING COUNTIES



PHOTO BY TOM OLSCHIED

Target Market participants unfurl 87 banners around the Capitol Rotunda March 25. Each banner represents one of Minnesota's counties and the number of teens committed to not smoking in that county. The rally was part of the three-day grassroots effort to educate teens to spread the Target Market message against the tobacco industry.

opportunities, and creates development that incorporates efficient use of land, a range of housing types and costs, and access to transit and open space.

The new law will also allow the grants to go to development authorities. Under previous law the grants were required to go directly to a municipality.

Development authorities include redevelopment authorities, economic development authorities, and port authorities. The law requires that a grant to a development authority must be used for a project in the participating municipality.

The new law is effective March 22, 2002.
HF2899*/SF2711/CH246

MILITARY

More benefits

Minnesota's military personnel will receive the benefits of a federal act while performing state active duty, under a new law signed by Gov. Jesse Ventura March 26.

The law, sponsored by Rep. Greg Blaine (R-Little Falls) and Sen. Steve Murphy (DFL-Red Wing), aligns the state statute to conform to the federal Soldiers and Sailors Relief Act of 1940.

That act provides protections for military personnel including reduced interest rates on mortgage payments and credit card debt, protection from eviction, and temporary suspension of certain civil court proceedings such as bankruptcy, foreclosure, and divorce.

The measure passed the House 128-0 and the Senate 62-0.

Under previous law, if the state's military members were called into action under Title 32 the benefits of the act did not apply. That is because that particular section designates the service as federally funded state active service.

If members are called to duty under Title 10, the federal active service provision, they qualify for the benefits.

Military personnel that were called to beef up security at the airport following the events of Sept. 11 were called up under Title 32.

The new law is effective retroactive to Sept. 11, 2001.

HF3274*/SF3068/CH284

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SAFETY

Firefighters and fireworks

The House Ways and Means Committee approved a bill March 25 that would grant unpaid leave to volunteer firefighters and allow the sale of certain fireworks during specific times of the year.

Originally the bill (HF2525/SF2960*), sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. Debbie Johnson (R-Ham Lake), came to the committee dealing only with the volunteer firefighters provision. But the committee adopted an amendment incorporating the fireworks measure.

The amendment is identical to HF1543, sponsored by Rep. Mark Holsten (R-Stillwater), which was approved by the House Crime Prevention and Judiciary Finance committees and was awaiting action by the House Ways and Means Committee.

Hackbarth, a volunteer firefighter for 19 years, said the bill addresses an issue he has been working on for the past five years. The bill would prohibit employers with at least 10 employees from taking disciplinary action against an employee who misses time while performing volunteer fire fighting duties.

The bill allows employees to miss up to 40 hours of work per year to perform duties that are related to emergency response but not administrative or training duties.

Hackbarth said that while some employers already allow some flexibility in leave "many don't do this." He added that some firefighters might not respond to a call if it comes at a time too near to the start of a work shift.

Holsten said the amendment, offered by Rep. Tom Rukavina (DFL-Virginia), would allow fireworks approved by the federal government to be sold by licensed dealers from May 1 to July 15 and Dec. 1 to Jan. 2 and used on private land from July 1-7 and Dec. 25 to Jan. 2.

He said the Department of Natural Resources estimates the cost of the amendment would be around \$72,000 per year based on a "scientific guess" that there would be 24 fires per year caused by the use of fireworks.

The bill now goes to the House floor.

It passed the Senate 65-0, without the fireworks amendment, on March 8.

TAXES

Helping late officers' families

Taxpayers would be allowed to indicate on their income tax forms that they wish to designate \$1 to a peace officer and firefighter memorial and survivor account, under a bill heard

March 25 by the House Taxes Committee.

Sponsored by Rep. Ray Vandever (R-Forest Lake), HF2958 would add a checkoff box on the state's income tax return form similar to those that currently exist for taxpayers wishing to donate to the state elections campaign fund and the nongame wildlife fund.

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

The Department of Revenue estimates that the plan would generate around \$300,000 annually. The current wildlife checkoff is used on about 2.4 percent of property tax refund forms and 3 percent of income tax returns. It generates a little more than \$1 million from the approximate 85,000 returns filed.

Capt. Larry Klink, from the Anoka County Sheriff's Department and board member of the Law Enforcement Memorial Association, said the estimated revenue from Vandever's bill would go towards helping families of officers killed in the line of duty.

He said that while serving as a police officer in Coon Rapids 26 years ago his partner was shot and killed. He said 200 officers have lost their lives in the line of duty in Minnesota.

William Gillespie, executive director of the Minnesota Police and Peace Officers Association, said the additional revenue would also be used to maintain the remaining public safety memorial located at the Minneapolis/St. Paul International Airport, scheduled to be transferred to the Capitol complex, and would demonstrate a commitment to "people on the front lines every day."

"To them terrorism is not a word, it's an act," Gillespie said.

A companion bill (SF2887), sponsored by Sen. Chuck Fowler (DFL-Fairmont), awaits a hearing by the Senate Taxes Committee.

TRANSPORTATION

Registration, license plate change

The House passed its vehicle registration and driver's license bill 121-8 on March 26.

Originally intended to be a non-controversial agency clean-up bill, several provisions were tacked on to the bill that stirred a long floor debate.

Rep. William Kuisle (R-Rochester), sponsor of HF3203, said the bill includes a leveling of fees so that many registration fees would be changed to a flat \$11 fee. Although some fees will be reduced and others increased, the net effect to the state is negligible, he said.

The bill also includes provisions that would authorize the Department of Public Safety to begin allowing electronic transfer of information.

Rep. Joe Mullery (DFL-Mpls) proposed an amendment that allows the state to issue special license plates for veterans. The amendment, approved 121-9, would allow any veteran to receive a special license plate that reads, "Proud to be a Veteran," and has a U.S. flag on it.

The state currently issues special plates for those who served in World War I, World War II, the Korean Conflict, the Vietnam War, the Laos War, and the Gulf War, as well as Pearl Harbor survivors and Purple Heart recipients. However, the new license plates would be available to any veteran.

Rep. Tom Rukavina (DFL-Virginia) carried a successful amendment that increases the overweight limits for commercial logging trucks from 4 percent to 5 percent.

The change is needed because the weight of wood can vary greatly based on the density of the wood, said Rep. Tony Sertich (DFL-Chisholm), who supported the amendment.

Although some representatives said the increase would result in more damage to roads, Rukavina said most loggers are only doing their job and would try not to have overweight vehicles.

The House also tacked on an amendment that was HF3226, sponsored by Rep. Tom Workman (R-Chanhassen). It would allow motorcyclists to go through red lights if their motorcycles do not trigger the stoplight when they stop and the light stays red for an "unreasonable amount of time." At the request of Rep. Phyllis Kahn (DFL-Mpls), bicyclists were also included in the measure.

A change made to the bill during an earlier House committee would have allowed driver's license application forms to automatically register young men with the selective service. That change, sponsored by Rep. Jim Rhodes (R-St. Louis Park), was removed on the House floor.

The bill, sponsored in the Senate by Sen. Steve Murphy (DFL-Red Wing), awaits floor action.

Safe funeral processions

The House passed a bill March 27 designed to help safely lead funeral processions to cemeteries.

The measure (HF3076/SF2612*) passed 129-0.

Rep. Jim Knoblach (R-St. Cloud), the sponsor of the bill, said police in Greater Minnesota often do not have time to lead funeral processions, leaving funeral home employees to lead the cavalcade.

The bill would allow funeral home vehicles to have a flashing red light on top to warn drivers that a funeral procession is following.

Since funeral home vehicles are not currently allowed to have a flashing red light, it is dangerous for drivers, Knoblach said.

In the past, drivers knew of a funeral procession because cars in the procession would have their lights on, he said. However, many cars now have their lights on all the time as a safety feature, so other drivers may not realize when cars are part of a funeral procession.

An earlier version of the bill called for funeral homes to be able to control traffic lights like law enforcement and emergency vehicles, but that plan was scrapped.

The bill was expanded on the House floor to include any motor vehicle belonging to a funeral home, instead of only a motorcycle, as the bill stated when it was brought to the floor.

Because it was amended, the bill now goes back to the Senate, where it previously passed 64-2. Sen. Dave Kleis (R-St. Cloud) is the Senate sponsor.

Street sweeper licensing

Signed
by
the
governor

It's spring in Minnesota, and that means street sweepers will soon be out in full force, wiping away leftovers from the winter thaw.

And a new law signed March 21 by Gov. Jesse Ventura gives those who operate or drive the sweepers something to look forward to — beginning Aug. 1, 2002, they won't have to worry about being pulled over by police for vehicle license violations.

The law clarifies that street sweepers are special mobile equipment and are therefore exempt from licensing and taxation.

Rep. Tom Workman (R-Chanhassen) and Sen. Dave Johnson (DFL-Bloomington) sponsored the law.

During Feb. 21 testimony before the House Transportation Policy Committee, Bill Pilla, president of Clean Sweep, Inc., advocated for a change in the law. Several drivers who operate street sweepers for the company were pulled over and detained for license violations last spring, he said.

Although a judge eventually dismissed the cases, the company should not have to put up with the hassle of being pulled over and going to court, Pilla said.

Existing state law does not specifically require street sweeping vehicles to be licensed, like it does for automobiles, trucks and other equipment.

However, it did not specifically include

street sweepers as special mobile equipment, either. Law defines special mobile equipment as "every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway."

The new law clarifies that street sweeping equipment do not require licenses for operation, though drivers must still be licensed under state law and must also adhere to traffic laws.

HF3189*/SF3135/CH250

VETERANS

Eligibility change

A bill that changes the criteria used to determine a veteran's eligibility for getting into a veterans home passed the House 130-0 March 26.

Under current law state tax refunds and rebates may not be considered as means of support when a veteran is applying for admission into a veterans home. Earnings that the person receives from participating in a work therapy program while the person is a resident of the veterans home are also excluded.

The bill (HF2647/SF2569*), sponsored by Rep. Sondra Erickson (R-Princeton) and Sen. Dan Stevens (R-Mora), would include federal tax rebates in criteria that cannot be considered as a means of support.

Erickson said the bill would allow veterans to get into the homes more easily.

The bill, which was amended in the House, was re-passed by the Senate 63-0 on March 27. The bill now goes to the governor.

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

Proper preparedness

Bill clarifies emergency duties of governor, ensures rights of Minnesotans in case of a bioterrorism incident

By SARAH MCKENZIE

Rep. Richard Mulder (R-Ivanhoe), called “Doc” by many in the House because he is the only medical doctor in the body, made a convincing and rather frightening case for a bioterrorism bill March 22.

Standing on the House floor, Mulder held up a bottle of salt, and then went on to list the kinds of nightmarish scenarios the bill was designed to address.

He said the small bottle could hypothetically contain enough tetanus to infect the entire state if the germ spread unchecked. The same would be true for botulism or smallpox spores, he warned.

“We have a new enemy out there,” said Mulder, sponsor of the bioterrorism bill (HF3031). “And they are largely unknown to us.”

The House overwhelmingly passed the bill 120-11. The measure, which adds bioterrorism to the list of events triggering the governor’s authority to declare a national security or peacetime emergency, would largely add restrictions and checks and balances to the governor’s current emergency powers.

It would also add safeguards to protect the rights of people quarantined or isolated.

The bill’s revised definition of bioterrorism is the “intentional use or threatened use of a biological agent to terrorize with the intent to harm or endanger a considerable number of members of the public, and that is the likely or actual result of a terroristic attack.”

Some controversial proposals for responding to bioterrorism were removed from the bill. Instead, the health commissioner would study those topics, including provisions to protect healthcare providers from liability and requiring vaccinations to prevent the spread of diseases.

“This is just the beginning and I can assure you this issue will come before the Legislature next year and every year for decades to come,” said Mulder, a family physician in

southwestern Minnesota.

The emergency health powers bill made stops in six committees and was revised 42 times, Mulder noted.

The Senate’s companion measure (SF2669), sponsored by Sen. John Hottinger (DFL-Mankato), differs from the House bill in that it would make a “qualifying health emergency” a trigger of the governor’s emergency powers,



PHOTO ILLUSTRATION BY ANDREW VON BANK

The House passed a bioterrorism preparedness measure March 22 that would more clearly define the governor’s powers to declare emergencies and respond to bioterroristic threats in Minnesota.

including bioterrorism, a chemical attack, or nuclear attack, among other things.

The House file was substituted for the Senate file and awaits action in that body.

Mulder said the governor supports the House bioterrorism bill.

Rep. Thomas Huntley (DFL-Duluth), an associate professor of biochemistry and molecular biology at the University of Minnesota-Duluth, had previously proposed more sweeping bioterrorism preparedness measures. Like Mulder, he called the bill the first part of an ongoing process to shape state policy.

Rep. Fran Bradley (R-Rochester), chair of the House Health and Human Services Policy Committee, said the sponsors crafted a bill that doesn’t overreact to threats of bioterrorism in light of alarming anthrax cases on the East Coast last fall.

“This bill is a thoughtful and responsible

first step,” Bradley said.

The House bioterrorism bill would require the governor to call the Legislature into session at the same time a peacetime emergency is declared or renewed.

It would also direct the governor to consult with the commissioner of health and other public health experts before declaring an emergency related to bioterrorism. The emergency declaration would expire within 30 days unless the governor renews it.

Further, the Legislature would be authorized to terminate the emergency declaration by a majority vote in the House and the Senate.

As specified in the bill, the governor’s emergency powers related to bioterrorism would also include the authority to direct the disposal

of dead bodies to prevent further spread of the disease. Information about the cause of death and identity of the victim would be maintained.

The bill would also more clearly define the commissioner of health’s authority to quarantine and isolate people to curb the spread of communicable diseases. People infected would be isolated and those likely to have been exposed to communicable diseases would be quarantined. Both groups would be entitled to adequate food, clothing, and shelter, and would have the right to communicate with others outside the restricted area.

The health commissioner would be required to obtain a

court order before isolating or quarantining groups. If the delay would jeopardize plans to prevent the spread of disease, the commissioner could move forward but must obtain court consent within 72 hours.

Those quarantined or isolated would also have the right to request a hearing.

On the House floor, members approved an amendment that would allow individuals to “maintain their fundamental right to refuse treatment,” including tests, physical or mental examinations, vaccines, and other procedures.

Rep. Wes Skoglund (DFL-Mpls) said the amendment could interfere with vaccinations of school children and the court’s ability to examine a suspect’s mental state.

The provisions in the bill would expire July 1, 2005. 🐸

Funding dilemma

House, Senate plans differ on amount and how to pay for transportation projects around the state

By LISA HILTON

It's no secret that residents of the Twin Cities metropolitan area spend a lot of time and money sitting in traffic jams.

At the same time, residents of Greater Minnesota have warned of driving on poorly maintained and sometimes dangerous highways. And that's if there are main highways in an area at all.

Of all the hotly debated issues in the House chamber this year, the pressing need for better transportation was not one of them. It took less than five minutes for the House to pass the plan with no debate, after weeks of debate in committee.

To provide transportation funding statewide, the House and Senate have each devised considerably different plans.

The House version of the transportation finance plan passed 71-61 on March 26.

five years.

Money for the projects would be borrowed through trunk highway bonds beginning in fiscal year 2003, when the state would borrow \$150 million.

Proceeds from the bond sale would be placed in a newly created major projects account.

In 2003, the money would be divided among three functions: Twin Cities metropolitan area bottleneck reduction, improvements to major interregional highways in Greater Minnesota, and safety and capacity improvements on dangerous highways.

In 2004 and subsequent years, 90 percent of the bond money would be split between interregional highways and bottlenecks, and the remaining 5 percent would go to transit advantages, such as bus lanes and park and ride stations.

In its earlier form, the House bill included

the bond debt.

Many DFL representatives criticized the House Republican plan, saying it doesn't include enough money for transit and is financed with money that is already budgeted for other things.

During the March 25 House Ways and Means Committee meeting, Rep. Andy Dawkins (DFL-St. Paul) said the plan should include more money for transit, such as buses and commuter rail.

Rep. Carol Molnau (R-Cologne), who was the original sponsor of the bill before Kuisle took over, said larger than expected increases in the motor vehicle sales tax last year will result in more funding than expected for transit.

That may be the case, Dawkins replied, but operating costs have outstripped the growth.

Others questioned what skimming inflation money off of current funds would do to legislators in the future.

"In 2003 there will be no inflation money to spend," Rep. Henry Kalis (DFL-Wells) said. "We're spending the inflation and borrowing money on top of it."

But Republicans see it differently. Getting the projects done now will save the state millions of dollars, Molnau said. Doing them piece by piece, as money is available, costs more because inflation drives construction prices up every year.

Basically, the longer the state waits to do projects, the more they will cost, she said.

The Senate's transportation funding package includes a more aggressive \$1 billion in spending over 10 years. It passed in that body 39-26 on March 21.

Sponsored by Sen. Dean Johnson (DFL-Willmar), SF2812 would increase the gas tax by 6 cents to help generate new funds for transportation. It would also increase the tax on other forms of fuel, such as petroleum and natural gas.

Further, the plan calls for the state revenue commissioner to compute the increase in the gas tax annually based on inflation.

Residents in the Twin Cities metropolitan area would also be asked to vote on a one-half cent sales tax increase, the proceeds of which would be used for transit purposes.


Now, with both sides having drawn up plans to boost transportation, an informal working group led by the House and Senate sponsors is scheduled to meet April 1 to try to find common ground. A formal conference committee will likely be appointed after the House and Senate reconvene on April 2 after the Easter/Passover break. 



PHOTO BY TOM OLMSCHIED

The House transportation funding measure would provide \$750 million for road projects statewide over the next five years.

Republicans voted in favor of the plan, while Democrats, with the exception of Rep. Al Juhnke (DFL-Willmar), opposed it.

HF3364, sponsored by Rep. William Kuisle (R-Rochester), would designate \$750 million for transportation projects during the next

a yearly increase of the gas tax to pay for the improvements. However, gas tax increases were removed from the bill in committee.

Instead, the new plan simply targets the annual growth in current transportation funds to certain areas and uses that money to repay

No contest

Dawkins will step down and return to role as community advocate so family can finally unite under one roof

By MICHELLE KIBIGER

For five years, they've had a high chair, a set of toys, and a crib at each house.

Some nights they'd stay at her house, and some nights they'd stay at his.

But for Rep. Andy Dawkins (DFL-St. Paul), and his wife, Sen. Ellen Anderson (DFL-St. Paul), the time has come for their family to live under the same roof.

And that means Dawkins will not seek reelection this November.

"I made a promise to the family that when the kids would go to school we would live in just one house," Dawkins, 51, said. He and Anderson have two children — Nick, 2, and, Jack, 4, who will begin kindergarten this fall.

But the parting is bittersweet for the eight-term legislator.

"I have loved every day of this job," he said. "I hate the idea of leaving."

First elected to the House in a November 1987 special election, Dawkins filled the district-65A seat vacated by former Speaker of the House Fred Norton (DFL-St. Paul) upon his appointment to the state Court of Appeals.

Originally from Chicago, Dawkins came to Minnesota in the late 1960s to attend college at Hamline University in St. Paul. He said he was impressed by the open Minnesota political system, including precinct caucuses.

Ultimately, he moved to Philadelphia to work with homeless youth while attending law school. But he knew he would return to Minnesota.

And that's what he did in 1978, establishing both a neighborhood law practice in the Frogtown neighborhood of St. Paul and a personal goal of gaining election to the Legislature within 10 years.

Dawkins said it was important to him that he get to know the neighborhood and the concerns of residents, so he volunteered for a number of community organizations and the DFL party.

Since his election, Dawkins has served on several House committees, including those governing capital investment, family and civil law, energy and regulated industries, environment and natural resources, financial institutions and insurance, housing, jobs and

economic development, and taxes.

Dawkins is also remembered for when he vowed not to cut his hair until funding for government functions shifted away from property taxes. Within a year, higher income tax revenues provided more balance between the two taxes, he said.



PHOTO BY TOM OLMSCHEID

Grace Dawkins, left, wipes away a tear as her son, Rep. Andy Dawkins, center, reminisces March 26 about his legislative career. Dawkins' wife, Sen. Ellen Anderson, right, holds their 4-year-old son Jack during his comments.

He sponsored youth works legislation to provide college tuition to students volunteering in communities, much like the AmeriCorps program; the Great Northern Corridor economic development project; and a homeownership program for urban and low-income residents.

Dawkins also sponsored several measures in an effort to raise awareness of drug crimes and prostitution problems in Frogtown and to study racial bias in the state court system.

In 1993, Dawkins took a shot at the St. Paul mayor's office, challenging Norm Coleman, who defeated Dawkins and served two terms as mayor.

Dawkins said as a runner-up prize he decided to start a family, so in 1995 he married Anderson, who represents the Senate district just north of Dawkins' in St. Paul. He said they knew the day would come when they would have to decide which district to live in.

"For myself and for my family, I'm really thrilled," Anderson said. "But I do think it is a

loss for our city and for our state."

Rep. Tom Osthoff (DFL-St. Paul) agreed. He said that Dawkins' advocacy for the people of his district and true belief in his causes would be missed in the House.


Osthoff noted that Dawkins has truly grown and evolved as a legislator. "And that's the beauty of this place, that you get to meet people," Osthoff said, "and hopefully you get to understand them a little. Andy has come a really long, wonderful way in this Legislature."

Dawkins said he encouraged several community members last fall to start looking for candidates because of the possibility he would not run again. Several candidates have emerged, and he said he's looking forward to the race.

His advice to his successor: establish specific goals and stay focused until they are accomplished; respect and use the legislative process, all the while holding to personal principles.

"To get there, sometimes you have to do things that people don't think lead to that," Dawkins said, referring to the necessary decisions legislators make to support projects in order to gain support from other legislators for their goals.

Rep. Ron Abrams (R-Minnetonka) echoed Osthoff's comments about Dawkins' effectiveness in working across partisan lines.

"He has contributed a great deal to public policy in Minnesota over the last 15 years," said Abrams. "I consider him a very good friend. I will miss him a great deal." 

STEPPING DOWN

Rep. Andy Dawkins

DFL

District 65A — St. Paul

Terms: 8

Career notes: Dawkins served one term as chair of the Family and Civil Law Division of the House Judiciary Committee during 1997-98. He sponsored legislation to help divorced parents develop parenting plans and to establish the working family tax credit, which he considers among his primary achievements.

Conservative voice

Osskopp to step down after eight years because redistricting separates him from longtime constituents

By SARAH MCKENZIE

Rep. Mike Osskopp (R-Lake City) was stirred to public office by youth at his church.

As a youth pastor he encouraged the younger members of his congregation to take an active role in politics. When they told him to heed his own advice, Osskopp said he couldn't resist.

He was elected to the House in 1994.

After four terms, Osskopp has decided against running for re-election as a result of the redistricting process. He currently represents portions of Goodhue and Wabasha counties along the Mississippi River in southeastern Minnesota.

Under the state's new political map, he would be required to run in a redrawn District 29B, one that pairs him with another incumbent, Rep. Jerry Dempsey (R-Red Wing), and excludes his constituents in Goodhue and Wabasha counties.

"Those are the people who got me here," Osskopp said. "It's my passion to defend and help those people."

Osskopp is an outspoken leader of a conservative group of House lawmakers known as the "DOG" pound, which stands for Down On Government. The group earned the label in 1995 by Charlie Weaver, then a member of the House and current commissioner of Public Safety.

The group advocates for trimming state spending and other "common sense" ideas, Osskopp said. The DOG pound awards bones to members who stand up for those principles.

Rep. John Tuma (R-Northfield), who sits next to Osskopp on the House floor, called Osskopp a powerful speaker and someone he consults for legislative advice.

"He gives good speeches and knows the game of rhetoric," Tuma said. "His arguments are built on a sound philosophy."

During his eight years in office, Osskopp has been a proponent of measures bolstering the state's farmers, including the biodiesel requirement that recently became law.

He has served on the House Agriculture and Rural Development Finance and Policy committees and the Governmental Operations and Veterans Affairs Policy Committee.

As chair of the House gaming subcommittee, Osskopp championed 1999 legislation allowing card club gambling at Canterbury Park.

Osskopp, however, has been critical of recent proposals calling for state-operated casinos.

"It's a sucker's bet," Osskopp wrote in a February commentary piece. "All of the major casino options — state-owned and run, privately licensed and jointly run between the state and

Indian tribes — are iffy and unaffordable, and none would provide the desired results but would cost state taxpayers millions."

In addition to his political life, Osskopp, a radio broadcaster with a bachelor's degree in journalism and a master's degree in theology, has stayed active on the airwaves.

He works on the radio show, "Mike and Maggie," with his wife. A Rochester radio station airs the program, which is a blend of

political talk and comedy.

Osskopp said his broadcasting background has helped him "talk about things in a concise and authoritative way" while in office.

"You need to be able to think and talk on the fly," he said. "That's been my strength."

Maggie Osskopp, an independent who voted for Jesse Ventura, said she doesn't always agree with her husband's views but has been proud of his service. She's also toying with the idea of running for public office someday.

"He is not power hungry and doesn't want to stay there at any cost," she said, adding he understands his constituents' "quest for freedom."

"They want to be rural people and they want to have their own river identity," she said.

Osskopp said he isn't ruling out the possibility of running for office again. But for now he'll focus on the radio show and play more golf.

He will also be able to spend more time with his four children and five grandchildren.

Osskopp said he'll probably be best remembered for his "mouth" and being a passionate and often partisan defender of his principles.

"I hope that every member of this body would consider me a friend," he said. "I've learned that all 134 members of the House are wonderful people. They're all trying to do what's best for Minnesota."

A lawmaker from the other side of the aisle, Rep. Tom Rukavina (DFL-Virginia) said Osskopp's sense of humor and support of working people would mark his time at the Capitol.

Though Osskopp makes him "angry at times," he said he expects that from a Republican.

"While he is a super conservative on some issues, he has a heart," Rukavina said. "His sense of humor is infectious, his wit is incomparable, and his heart, when it comes to working people, is as big as the state of Minnesota."



PHOTO BY TOM OLMSCHIED

Rep. Mike Osskopp will step down from his House seat this year, after serving four terms in the Legislature. He would have to face incumbent Rep. Jerry Dempsey in November to retain his seat due to redistricting.

STEPPING DOWN

Rep. Mike Osskopp
Republican
District 29B — Lake City
Terms: 4

Career Notes: Osskopp advocated for smaller government, farmers, and working people while in office. As chairman of the House gaming subcommittee, he also sponsored a number of gambling-related bills, including one in 1999 that created a card club at Canterbury Park.

Tracking new laws, vetoes

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

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

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

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

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

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

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
Res. 6	2681*	2469	Resolution supporting personnel responding to Sept. 11 terrorist attacks.	1/31	
Res. 7	3411	3207*	Resolution urging delayed termination of LTV pension plan.	2/27	
219	2698	2655*	Extending physical therapy board authority to adopt licensee ethics rules.	2/27	
220	351*	264	Omnibus budget balancing and appropriations bill.		2/25♦
221	97	58*	Changing terminology in statute of references to mentally ill.	2/27	
222	3049	3019*	Predatory offenders registration requirement expansion.	2/28	
223	1297	1471*	Municipal Board authority transferred to Office of Strategic and Long-Range Planning.	3/5	
224	2642*	2760	Mine inspector annual audit requirement modified.	3/7	
225	3116*	2822	Environment and Natural Resources Trust Fund provisions modified.	3/7	
226	2624*	2441	Shakopee Public Utilities Commission increased from three to five members.	3/7	
227	3148*	3025	Speech-language pathologist and audiologist registration requirements modified.	3/7	
228	2992*	2865	Occupational therapist temporary licensure terms modified.	3/7	
229	3062*	2839	Hennepin and Ramsey counties juvenile court judge term limits repealed.	3/7	
230	2748	2573*	Browns Valley school year start before Labor Day.	3/13	
231	2695*	2531	Mpls. Firefighters Relief Assn. retirement provisions corrections provided.	3/13	
232	58*	389	Beer kegs identification and sales requirements.	3/13	
233	3190*	3111	Juvenile court data in statewide supervision system.	3/13	
234	2783*	2671	No-fault auto insurance residual liability coverage regulated.	3/14	
235	1189*	1376	Election of municipal council members provided after annexation.	3/14	
236	1620*	2210	Orderly annexation agreements strengthened.	3/14	
237	2987*	2873	Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	3/14	
238	3202*	2801	Delano Public Utilities Commission increased to five members.	3/14	
239	2629*	2913	Retired professional designation for Board of Architecture et al.-licensed retirees.	3/14	

♦ - veto overridden by the Legislature

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

CH	HF	SF	Description	Signed	Vetoed
240	3309*	3082	Nursing home licensed bed lay away authorized during moratorium projects.	3/14	
241	2637*	2472	Temporary town officeholders authorized in event of inability or refusal to serve.	3/14	
242	3344*	2892	Second Judicial District combined jurisdiction program authorized.	3/14	
243	3296*	3206	State employee Social Security administrative duties transfer.	3/14	
244	1547	1495*	Omnibus agriculture policy provisions modifications.	3/15†	
245	2612*	2562	Licensed architect, et al. requirement circumstances revised.	3/15	
246	2899*	2711	Livable community demonstration account provisions modified.	3/21	
247	3584*	3302	Judgment calculation interest rate formulas modified.	3/21	
248	2813*	2803	Child care providers required to develop policies for reporting suspected child maltreatment.	3/21	
249	2766*	2475	Motor vehicle fuel franchise sale federal code compliance expiration date removed.	3/21	
250	3189*	3135	Street-sweeping vehicles defined as special mobile equipment for registration purposes.	3/21	
251	2742*	2757	State agency contested case procedures regulation provided.	3/21	
252	2531*	2381	Hospice care providers regulated, and criminal penalties imposed.	3/22	
253	3275	2932*	Citizen water quality monitoring encouraged.	3/22	
254	3133	2971*	State procurement competitive bidding for building and construction contract references codified.	3/22	
255	1097	1072*	"Grace" state photograph designation.	3/22	
256	3074	2834*	Steele County recorder appointment.	3/22	
257	3512	3258*	Garfield state land exchange.	3/22	
258	2652	2434*	Polk County recorder and auditor-treasurer appointment.	3/22	
259	2603	2627*	Optometrists and physicians contact lenses prescriptions regulated.	3/22	
260	3238	3115*	State energy efficiency installment purchases regulation provisions modified.	3/22	
261	3462	3080*	Funeral trust account provisions modified.	3/22	
262	3348	3136*	Workers' compensation provisions modified.	3/22	
263	2753	2590*	Carlton County recorder appointment authorized.	3/22	
264	2796*	2670	Minneapolis asphalt plant construction authority.	3/22	
265	2792*	2575	Appliance recycling required.	3/22	
266	3373	3045*	Fourth Judicial District domestic fatality review team pilot project extension.	3/25	
267	3362	3109*	Municipal police departments black patrol vehicles.	3/25	
268	2662	2611*	Interstate compact for adult offender supervision.	3/25	
269	1934	1030*	National crime prevention and privacy compact.	3/25	
270	94	222*	Game and fish laws gross overlimit violations penalties.	3/25	
271	2873	2578*	County human services and public health clients support programs.	3/25	
272	2993	2463*	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	3/25	
273	3263	3167*	Sex offenders civil commitment determinations data access authority.	3/25	
274	1413	1226*	No-fault automobile insurance full medical expense benefits entitlement.	3/25	
275	3276	3100*	Medical assistance reimbursement for tribal health services.	3/25	
276	3291	3124*	Nursing and board care homes resident reimbursement classifications provisions modification.	3/25	
277	3245	3126*	Health care and human services programs provisions technical modifications.	3/25	
278	3061	3117*	Metropolitan Council interceptor facilities continued use determination.	3/25	
279	2600	2419*	Child care programs wading pools public swimming pools regulations exemption.	3/25	
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27
281	2678	2768*	Medical assistance demonstration project provisions modified.	3/26	
282	3579	3073*	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	3/26	
283	2570*	2553	Automobile insurance damaged window glass claims payment basis modified.		3/26◆
285	2882*	3122	Electric personal assistive mobility device and roadway and sidewalk regulations.	3/26	
286	3078	2821*	Real estate brokers and salespersons regulatory provisions modifications.	3/26	
287	2664	2459*	Supplemental nursing services agencies registration criteria expansion.	3/26	
288	1885	2115*	Motor vehicle dealers surety bond requirements clarification.	3/26	

CH	HF	SF	Description	Signed	Vetoed
289	3091	2764*	Mentally retarded persons incidents and emergencies reporting standards modification.	3/26	
290	2932	2614*	Foster care placement communicable diseases disclosure requirement.	3/26	
291	3080	3055*	Metropolitan transit police provisions modifications.	3/26	
292	2757	2692*	Human services licensure.	3/26	
293	2889	2933*	Individual sewage treatment systems installation.	3/26	
294	2635	2550*	Special education services costs reimbursement.	3/26	
295	3222	2953*	Fire insurance excess coverage prohibitions.	3/26	
296	2933	2546*	Rockville and Pleasant Lake consolidation plan joint development required.	3/26	
297	2884*	2715	Motor vehicle excessive gross weight civil fine imposition modified.	3/26	
298	3196*	2966	State procurement law ethical provisions clarified.	3/26	
299	3205	2890*	Public works contracts regulated.	3/27	
300	3223	2793*	Out-of-state facilities for children with severe emotional disturbance certification plan required.	3/27	
301	2842	3244*	Evidentiary laboratory blood sample reports electronic signatures.	3/27	
302	3224	3034*	Hennepin County Medical Center cooperative purchasing authority.	3/27	
303	3240	2814*	Electronic voting authorized for cooperatives.	3/27	
304	2596	2673*	Child custody provided for by de facto custodians and third parties.	3/27	
305	3328	3278*	Driver's education organ and tissue donation instructions.	3/27	

BILL INTRODUCTIONS

MARCH 22 - 27, 2002

HOUSE FILES 3705 - 3707

Friday, March 22

HF3705—Wilkin (R)

Agriculture Policy

Biodiesel fuel mandate repealed.

HF3706—Osthoff (DFL)

Taxes

Baseball stadium financing provided, donations required, construction and financing process described, conditions imposed, bonds authorized, and money appropriated.

Wednesday, March 27

HF3707—McElroy (R)

Health & Human Services Policy

Health data release to county human and social services authorized in order to coordinate benefits and services.

COMMITTEE SCHEDULE

APRIL 1 - 5, 2002

MONDAY, April 1

1 p.m.

House-Senate Transportation

Working Group on HF3364/SF2812

5 State Office Building

Chrs. Rep. Bill Kuisle, Sen. Dean Johnson

Agenda: Walk through side-by-sides.

4 p.m.

HF2622 Conference Committee

Terrorism; Minnesota anti-terrorism act of 2002 adopted providing civil and criminal penalties for agricultural, biological, and other mass destruction, modifying open meeting law and data sharing provisions, and appropriating

money.

Basement Hearing Room

State Office Building

Chrs. Rep. Rich Stanek, Sen. Jane Ranum

TUESDAY, April 2

8 a.m.

HF2618 Conference Committee

Public employees and officials required to report certain unlawful actions to law enforcement, and data provided to the state auditor for audit or law enforcement purposes notwithstanding the data practices act.

500N State Office Building

Chrs. Rep. MaryLiz Holberg, Sen. David Knutson

9 a.m.

Legislative Audit Commission

118 State Capitol

Chr. Sen. Ann H. Rest

Agenda: Review recommendations of the Topic Selection Subcommittee and Best Practices Local Government Advisory Council, and select studies for review by the Program Evaluation Division of the Office of the Legislative Auditor.

11 a.m.

RULES & LEGISLATIVE ADMINISTRATION

400S State Office Building

Chr. Rep. Tim Pawlenty

Agenda: Calendar for the Day for Tuesday, April 2, 2002.

HF289 (Daggett) A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4; providing staggered four-year terms for representatives and senators.

12 noon

THE HOUSE MEETS IN SESSION.

**The later of 3 p.m. or
30 minutes after session**

FAMILY & EARLY CHILDHOOD

EDUCATION FINANCE

5 State Office Building

Chr. Rep. Barb Sykora

Agenda: ECFE Reserve Accounts.

Cancellation of 1996 Early Childhood Facilities Bonding.

Forecast updates for committee programs.

Additional to be announced.

WEDNESDAY, April 3 -

FRIDAY, April 5

No meetings have been announced.

Minnesota State Agencies

(Area code 651)

Administration	296-6013
Agriculture	296-4026
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3644
Employee Relations	297-1184
Job Information	296-2616
Finance	296-5900
Health	215-5803
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	296-6117
Labor and Industry	296-6107
Military Affairs	282-4662
Natural Resources	296-6157
Pollution Control Agency	296-6300
Public Safety	296-6642
Driver and Vehicle Services	296-6911
Fire Marshal	215-0500
Alcohol and Gambling Enforcement Division	296-6979
State Patrol	297-3935
Public Service	296-5120
Revenue	
Taxpayer Assistance	296-3781
Toll Free	1-800-652-9094
Trade and	
Economic Development	297-1291
Office of Tourism	296-5029
Transportation	296-3000
Veterans Affairs	296-2562
State Information	296-6013

Reflections

Minnesota lost another of its legendary leaders on March 21.

Roger Jourdain, 89, the first elected tribal council chairman of the Red Lake Band of Chippewa Indians, died of natural causes in a Bemidji hospital.

In 1959, Jourdain became head of the council. His election ended a rule by hereditary chiefs that began in the early 1700s.

His victory came after a constitution was written for a new representative government to rule over the nation with improved jurisdiction of its lands.

Jourdain subsequently led for 31 years, but not without controversy.

Many who disapproved of his sometimes dictatorial tactics often tried to unseat him. His last bid for re-election was in 1990, when he lost by 136 votes to a fellow council member and former supporter.

Over the years he battled his enemies and those who disagreed with his methods of governance.

A low point for Jourdain and the Red Lake band was an insurrection in 1979 after he summarily fired an employee. The two-day riot caused two deaths and millions of dollars in damage to public buildings. Jourdain and his family were spirited away, but their house and other property were burned down. Though not deterred, he continued to govern from Bemidji, 30 miles away.

But Jourdain was also well-respected for his strong convictions and vision. Those who supported him included vice presidents, congressmen, governors, and legislators, both nationally and at the State Capitol. And he negotiated with them to build schools, a state-of-the-art hospital

that bears his name, sports and recreation facilities, and economic development projects.

"The Chairman," as some called him, always managed to stay at the helm by working for improving the economy, trying to create jobs, and improving the education of the people — particularly the children.

Another successful goal for Jourdain was to maintain the sovereignty of the nation. Since he had no love for federal and state American Indian agencies, he set rules into place for history to not repeat itself, such as from 1863 to 1905 when land was ceded or taken by homesteaders and logging companies.

The Red Lake band remains a sovereign nation. It is only one of two "closed" reservations in the country — always owned by its people.

Under Jourdain's leadership, a police and fire department were created, the Red Lake band issued its own motor vehicle license plates, and it instituted a policy whereby outsiders must register for a passport to visit.

Jourdain was honored in part for his stamina. One such award was in 1986 as he was named the Indian Man of the Year by the American Indian Heritage Foundation, partly for "bringing Indian issues to the national forefront."

When Rep. Rod Skoe (DFL-Clearbrook) asked lawmakers for a moment of silence on the House floor March 22, it was an apropos time for reflecting on Roger Jourdain's words: "Let's get it done. I believe it's right. That's the way it should be."

—LECLAIR GRIER LAMBERT

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.

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

MINNESOTA INDEX

Older Minnesotans

Percentage of Minnesotans in the 2000 census that were age 55 or older	20
In 1990	20.4
Percentage that was age 65 or older	12.1
In 1990	12.5
Percentage of Minnesotans age 55 and older for whom social security is their main income source	34.8
Employment, as percent	28.6
Pension, as percent	24.4
Percentage of Minnesotans age 55 or older that were employed, 2000	28.9
Of those, percentage employed full-time	56.4
Minnesotans age 55 and older that "never" worry about money issues, as percent	43.1
Worry "a little"	24.5
Worry "some" or "a lot"	32.5
Percentage of older Minnesotans who worry "some" or "a lot" about their own health	42
Those that "never" worry, as percent	24.5
Percent of older Minnesotans who "never" worry about getting older and needing care	37
Those who worry "some" or "a little," as percent	55.6
Minnesotans age 55 and older who worry "a little" or "never" about their ability to pay for prescription drugs	78.6
Those that worry about getting good healthcare, as percent	72.2
Percentage of older Minnesotans who participate in vigorous activity for at least 20-30 minutes, two to three times per week	54
Older Minnesotans, as a percent, that "never" have concerns about feeling safe	60.6
Those that have "a lot" of concern	2.7
Percentage of older Minnesotans who worry "a lot" about their children or grandchildren	16.4
Those that "never" worry, as percent	18.7
Older Minnesotans with at least one child living within a 30-minute drive, as percent	72
Of those, percentage that sees at least one of their children weekly	68.8
Percentage of Minnesotans age 55 and older reporting they have no one to confide in	7.3
Percentage that report loneliness is sometimes a problem	14.4
Percentage that has some problems with depression	15.3

Source: 2001 Survey of Older Minnesotans and 1995 Survey of Older Minnesotans, both by the Minnesota Board of Aging; U.S. Census 2000; U.S. Census 1990.

FOR MORE INFORMATION

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

APRIL 5, 2002
VOLUME 19, NUMBER 10

In this issue:

PRESCRIPTION DRUG PLANS

HISTORY OF EVEN-YEAR SESSIONS, AND MORE



HF3708-HF3712

Session Weekly

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

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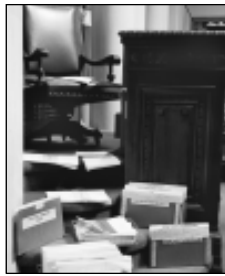
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FEATURES

At Issue: Health — Several states are considering state-level prescription drug discount programs for residents. However, in Minnesota budget constraints may be an obstacle. • 11

History — It's not unusual for legislators to work beyond the Easter and Passover holidays in the second year of a biennium. And legislators have more than a month before they run up against constitutional constraints for adjournment. • 12

People — Rep. Sharon Marko (DFL-Cottage Grove) will leave the House after this term to pursue an open seat in the Minnesota Senate created by the new redistricting plan. • 13

People — Rep. Mary Jo McGuire (DFL-Falcon Heights) has decided not to run for re-election in the district she has represented for 14 years. The court-ordered redistricting plan paired McGuire and incumbent Rep. Alice Hausman (DFL-St. Paul) in the same district. • 14

Policy — State officials are targeting foreign tourism markets to draw vacationers to the state as an economic development tool. • 15

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On the cover: A statue of former Gov. Knute Nelson as a statesman and as a young Civil War soldier is covered with snow after Mother Nature played an April Fools Day joke by dropping between four and six inches of wet snow on the Capitol complex. Nelson was governor from 1893-1895, before serving for 28 years in the U.S. Senate.

—Photo by Tom Olmscheid

Reconciling differences

Second phase of budget adjustments, stadium, bonding, anti-terrorism package among unresolved issues for 2002

SESSION WEEKLY STAFF

Legislators have a number of issues left to resolve before closing the books on the 2001-2002 legislative session.

Leadership in both the House and Senate aimed to finish prior to the Passover and Easter holidays. But the House and Senate differ on both philosophy and process regarding issues that remain unresolved, making resolution seem elusive.

And the issues left on the table are weighty: anti-terrorism issues and funding, transportation and construction bonding, stadium plans, and the second phase of budget-balancing measures.

As in the past, House leaders have instructed members to keep their schedules flexible as negotiations continue. They're hopeful for a swift resolution but can't be sure it'll happen.

"Pending a resolution on the numbers, the targets, with the Senate we might be in the position to close up the session next week although that is very speculative at this point," said House Majority Leader Tim Pawlenty on April 2. "I wouldn't be making any expensive or certain plans right now."

Evidence of the procedural problems legislators must address is the format for the second phase of budget cuts.

To address the remaining \$439 million deficit for the current biennium the House passed omnibus finance bills dealing with several areas of the budget.

However, the Senate amended the House omnibus state government finance bill (HF3270) to incorporate a variety of spending cuts and tax increases. The state constitution requires any revenue-raising bills to originate in the House.

Members, including the bill's House sponsor Rep. Philip Krinkie (R-Shoreview), objected to the move, saying the new bill includes tax increases and multiple topics making it subject to constitutional challenge. It will now go to a conference committee.



PHOTO BY TOM OLMSCHIED

Materials for the day, prepared by the Chief Clerk's Office, await the speaker's arrival on the steps of his desk prior to the House taking action on the proposals.

Here is a summary of some of the remaining issues left to be addressed:

Anti-terrorism

One of the biggest differences between the two plans (HF2622/SF2563 and various bills) is the source of funding to pay for changes.

The House version would use \$22 million of the state's tobacco settlement money to fund the bill, while the Senate favors a plan to increase by 25 cents the tax on the 911 phone fee.

Other differences include changes to driver's license regulations and a plan to mark the licenses of foreign residents in the state on a visa, the issuance of "United We Stand" license

plates, changes to wire tap laws, when public meetings can be closed, and the definition of terrorism.

Bonding

The House and Senate remain about \$360 million apart on capital investment projects.

The House bonding bill (HF3618) stands at \$839.1 million, and the Senate's version (SF3203) totals 1.2 billion.

In the biggest area of spending, higher education, the Senate wants to grant more than \$485.6 million, which is \$158.5 million over the House allocation.

Nearly \$81 million splits the two bodies on transportation. The House allocates more than the Senate, with most of the funds for roads and bridges. The House also would direct \$26 million toward a statewide public safety radio system, where the Senate would give \$100,000.

In other education projects, the House would allocate \$1.5 million and the Senate almost \$66 million. The House skipped funding nearly every local project proposed, while the Senate would fund the Minneapolis Planetarium for \$20 million, Red Lake additions and renovations for more than \$20 million, plus other community, youth, and leadership centers.

Transportation bonding

The two chambers are miles apart on how to pay for transportation improvements.

The House plan (HF3364) would allow the state to borrow \$750 million over five years for highway improvements.

The Senate plan (SF2812) would increase the state gas tax by 6 cents in order to pay for about \$5 billion in bonds over a 10-year period.

Other budget areas

Senate proposals largely avoid further specific spending cuts, focusing on raising revenues to cover budget shortfalls for 2003 and the 2004-05 biennium.

The House proposed cuts for specific budget areas are as follows:

- Early childhood and family education — in HF2909, the House cuts \$6 million from the 2003 appropriations, including state's



Legislating weather

1977 law claims state's sovereign right to clouds, regulates rainmakers

- child-care development fund, holding adult basic education programs at 2002 levels, and reductions to child-care funding. The Senate plan (SF3436) shifts 5 percent of education aid spending to fiscal year 2004, as it did for all education programs.
- **Economic development** — the House has proposed reducing the 21st Century Minerals Fund by \$6.7 million in this biennium, the Jobs Skills Partnership Program by \$1.4 million, and the Minnesota Film Board by almost \$1.4 million.
 - **Environment and natural resources** — the House plan (HF766) would trim another \$10 million, particularly by reducing recycling-promotion grants to counties in both fiscal years 2004 and 2005 and transferring funds from the PCA to the Office of Environmental Assistance to administer the state's household hazardous waste program.
 - **Health and human services** — The House bill (HF2515) would drain \$325 million from the Tobacco Prevention Endowment to pay for state programs and cut an additional \$61.6 million from state services. Adjustments include limiting General Assistance and Emergency General Assistance payments, consolidating the General Assistance Medical Care program into MinnesotaCare, and repealing an expansion of the number of children covered by the state's Medical Assistance program set to take effect July 1. The Senate proposed modest spending increased this biennium and in 2004-05.
 - **Higher education** — The House made no cuts in the second round of reductions, and the Senate plan would increase funds for grants from the Higher Education Services Office by \$5 million.
 - **State government funding** — The House plan would reduce funding by \$38.9 million in the 2003 and \$26.9 million in 2004-05. The primary items include a reorganization of the governor's cabinet into eight secretary level positions and further cuts to the legislative branch. The Senate bill would repeal a consulting contract moratorium enacted in the first phase of budget cuts.

State employee contracts

The House and Senate also deal with the state employee's contracts differently. Under current law the commissioner of the Department of Employee Relations is authorized to enter into agreements with those representing the various state employee groups. The Legislature is required to accept or reject the bargained agreements.

The Senate provision, included in its

There ought to be a law against April snowstorms. Maybe the land needs the precipitation, maybe the snowmobilers are happy, but the rest of us could use some legislative intervention against prolonged winter.

Some may chuckle at the idea of legislating the elements, but there was a law on the books for 22 years that regulated those who attempted to modify Minnesota's weather.

A 1977 law set guidelines for the issuance of cloud-seeding licenses and permits, and charged the Minnesota Department of Agriculture with collecting and evaluating weather modification data.

The law also asserted Minnesota's sovereign right to the clouds and moisture in the atmosphere above the state.

Cloud seeding is the process of injecting clouds through airborne or ground-based delivery with silver iodide, dry ice, or other materials to increase precipitation and decrease hailstone size.

A 1977 report titled "Weather Modification Information for the Minnesota Legislature" concluded that regulating cloud seeding was in the public interest because of legal ramifications over the effects on downwind landowners, potential environmental concerns, and the need to maintain professional standards.

"Because of human nature, it is possible for citizens of this and other states to be victimized by unethical cloud seeders," the report warned. "Support of the proposed weather modification legislation does not necessarily imply support of weather modification as a usable technology."

According to the report, some weather modification experiments around the globe suggested cloud seeding could potentially increase rainfall by an average of 10 percent above what would occur naturally and decrease hail damage up to 50 percent.

However, other data were not so encouraging. "Weather modification is not a predictable science," the report cautioned. "There is no absolute proof that cloud seeding works."

The summary cites Russia's success at

using ground-to-air rockets to seed clouds, but it notes that their project required anti-aircraft artillery and 25,000 soldiers to accomplish the task.

"Attempts have been made in the United States to develop a similar approach, but the FAA frowns on the indiscriminate firing of rockets into our airplane-filled skies," the report says.

The Minnesota law specifically prohibited ground-based seeding projects.

Enthusiasm for cloud seeding has waned

since its heyday in the 1960s and 1970s. Minnesota's weather modification law was repealed in 1999 as part of an overall effort to streamline occupational regulation. No one had ever applied for a license, according



Photo courtesy of the North Dakota State Water Commission Web site.

This plane is used by a North Dakota cloud modification unit to seed clouds for controlling precipitation.

to Rep. Dan McElroy (R-Burnsville), sponsor of the repeal.

While Minnesota is not pursuing weather modification, North Dakota supports an active program, modifying clouds specifically to reduce hail and increase precipitation.

At first glance, it might seem odd that neighboring states would take such different approaches to precipitation management. Greg Spoden, of the Department of Natural Resources climatology unit, explains that Minnesota sits between the semi-humid east and the semi-arid high plains and drought has not been an issue here for a number of years. In fact, the 1990s were Minnesota's wettest decade of the 20th century.

"Farmers in the western part of the state have chosen to combat dry spells with ground irrigation systems, rather than looking to the sky," Spoden said.

Other Great Plains states and Canadian provinces also continue to experiment with weather modification. The province of Alberta has a unique hail suppression program funded by the insurance industry in the hope that seeding clouds will reduce hail size and thus reduce crop and property damage.

(N. Wood)

Continued on page 23

★ **AGRICULTURE****Policy provisions**

An agriculture policy measure cleared the House April 3 after members spent hours debating a number of amendments to the bill.

The measure (HF3183), sponsored by Rep. Tim Finseth (R-Angus), chair of the House Agriculture Policy Committee, passed 131-0. The bill now goes to the Senate.

Much of the floor debate centered on an amendment offered by Rep. Phyllis Kahn (DFL-Mpls) that would have banned treating poultry and livestock with antibiotics if the animals are otherwise healthy. The House voted down the amendment 75-59.

Widespread overuse of antibiotics has been linked to the development of drug-resistant genes. Kahn cited figures indicating livestock and poultry are treated with 10 times more antibiotics than humans are.

Those who opposed the amendment said the issue should be dealt with by Congress on a federal level.

Rep. Carol Molnau (R-Cologne) said the state's farmers are already taking steps to address the problem. "This would make Minnesota an island," she said.

Also speaking in opposition to the amendment, Rep. Al Juhnke (DFL-Willmar) said adopting statewide policy without more thoughtful deliberation would cause "huge problems" for Minnesota's turkey processors. The state is one of the nation's leaders in the turkey industry.

The main provisions in the agriculture policy bill sparked little debate.

The bill includes a number of largely technical sections, including provisions that would update state rules related to pesticide and food handling to make the state compliant with federal law.

It would also include a provision amending the definition of county extension work. The University of Minnesota Extension Service would be directed to place less emphasis on human development programs and instead pay more attention to agricultural finance and youth leadership development.

The Senate companion is SF3219, sponsored by Sen. Steve Murphy (DFL-Red Wing).

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

★ **BANKING****Money transmitter licensing**

Small-business money transmitters may soon have lower financial requirements for licensing, under a measure passed by the House.

A 2001 law requiring money transmitters to be licensed has been difficult for some smaller establishments to meet, particularly those who often send money from Minnesota to Somalia and Mexico.

The House passed a measure (HF3464/SF3174*) that clarifies the 2001 law by a vote of 129-0 on April 3, and the Senate passed it 62-0 on April 2. It awaits Gov. Jesse Ventura's signature.

Previously, all money transmitters were held to a \$100,000 net worth requirement, though many of the smaller businesses did not reach that mark.

Under the bill, the current \$100,000 net worth requirement for being licensed would be dropped to \$50,000 for money transmitters that have six or fewer locations in Minnesota.

Money transmitters with seven or more locations would still be held to the \$100,000 net worth requirement. Additional locations beyond the seven would be required to have a worth of \$50,000 per location, up to \$500,000.

The bill would also adjust legal requirements that the businesses carry surety bonds for a certain percentage of their net worth.

The \$50,000 current bond requirement would become \$25,000 for money transmitters with three or fewer locations. The amount would not change for money transmitters with four or more locations, and would be capped at \$250,000.

Rep. Dan McElroy (R-Burnsville) and Sen. Steve Kelley (DFL-Hopkins) sponsored the legislation.

★ **BUSINESS****Drinking licenses, times**

Various cities in the state would be given the authority to issue additional liquor licenses, under the omnibus liquor bill that again passed the House April 2 by a 102-25 vote.

Sponsored by Rep. Doug Stang (R-Cold Spring) and Sen. James Metzen (DFL-South St. Paul), the measure (HF3058/SF2739*) would give the cities of Albert Lea, Brainerd, Coon Rapids, Eden Prairie, Proctor, and West

St. Paul the authority to issue additional liquor licenses.

The Senate also passed the conference committee agreement April 2, by a 52-6 vote.

The only difference between the version of the bill that originally passed the House was the additional number of on-sale intoxicating liquor licenses authorized for West St. Paul. The House version authorized six for that city while the Senate version authorized two. The House acceded to the Senate number.

Hotels possessing on-sale intoxicating liquor licenses that have hotel rooms with cabinets that dispense liquor for a charge, would be exempt from the state's bar closing time of 1 a.m. on those sales, under the measure.

The bill now goes to the governor.

★ **CONSUMERS****Do-not-call list passes**

Minnesotans may soon be able to eat their supper without jumping up to answer a phone call from a telemarketer.

The House passed legislation April 4 that would allow people to put their home phone numbers on a "do-not-call" list, to which phone solicitors would have to subscribe.

"This has worked very successfully in other states," said Rep. Matt Entenza (DFL-St. Paul), the House sponsor of the bill (HF2710/SF3246*).

The state Department of Commerce would maintain the list, which would have to be established by Jan. 1, 2003. Residents could add their names to the do-not-call list for free, and they would stay on the list for two years unless they revoked their names.

Nonprofit organizations, as well as political groups, would not have to subscribe to the list. Businesses that have a resident's permission, businesses with a prior relationship to a resident, and businesses "who will complete the sales presentation at a later face-to-face meeting," such as a seller of Mary Kay Cosmetics, are exempt from the requirement to obtain the list, according to the bill.

Four times a year, telemarketing companies would have to purchase the updated list, or face a fine. The fee for obtaining the list would be \$125 for each copy. In 2004 the fee would be reduced to \$90, and in 2005, and thereafter it would be \$75.

General fund monies would be used to maintain the list: \$482,000 in 2003, \$349,000 in 2004, and \$299,000 in 2005.

A violator of the list would be charged a civil

penalty up to \$1,000 for each call.

The bill was successfully amended by Rep. Greg Davids (R-Preston) regarding the creation of a national do-not-call list. If such a list should be established, the phone numbers on Minnesota's do-not-call list would have to be sent to the Federal Communications Commission to be included on the national list. The commission would not be charged.

The amended bill now returns to the Senate, where Sen. Richard Cohen (DFL-St. Paul) is the sponsor. The Senate previously passed the measure 65-1 on March 21.

★ CRIME

Paying to do time

Criminals who are sentenced to serve time in county jails would be required to pay for time they spend behind bars, under a bill passed by the House April 2.

Sponsored by Rep. Maxine Penas (R-Badger) and Sen. Leo Foley (DFL-Coon Rapids), the bill (HF2841/SF2533*) would allow counties to collect fees from inmates if the person has the ability to pay.

During debate on the House floor, some lawmakers worried that the bill would affect family members of inmates more than the convict.

Rep. Mary Murphy (DFL-Hermantown) said charging convicts could end up costing the state money since it could hurt the person's spouse and children as much as the convicted person. The family of the convicted person may have to rely on social services if the family's money goes to the county to pay for jail time, she said.

But Rep. John Tuma (R-Northfield) said the bill provides exceptions for those who can't afford to pay.

The bill also requires inmates to make other payments such as fines and child support payments before money would be taken for the jail time.

The House passed the bill 108-22, and the Senate approved the bill 64-0 on March 8. It now goes to the governor for approval.

★ ELECTIONS

Campaign finance board confirmations

The House Governmental Operations and Veterans Affairs Policy Committee voted April 3 to recommend confirmation of two nominees to the state's Campaign Finance and Public Disclosure Board.

The board is responsible for administering

'GRACE' UNVEILED



PHOTO BY ANDREW VON BANK

The newly designated Minnesota State Photograph, Eric Enstrom's "Grace," is officially unveiled at an April 3 ceremony in the secretary of state's office. Among those at the unveiling are, from left, Secretary of State Mary Kiffmeyer; Britta Nyberg, Enstrom's great-granddaughter; Rhoda Nyberg, Enstrom's daughter; Rep. Loren Solberg, the House sponsor of the law designating the photograph; and Lois Berendts, Enstrom's daughter.

registration, disclosure, and enforcement programs to ensure that the state's government ethics laws are met. The board also provides financial information about public officials to the populace.

Gov. Jesse Ventura's two nominees come from Greater Minnesota. Last year while recommending confirmation of four candidates, all of whom were from the Twin Cities metropolitan area, committee members expressed concern about having rural representation on the board.

One of this year's nominees, Susan Stevens Chambers said she was encouraged to apply for the board because she is a female attorney from Greater Minnesota. She lives in Mankato.

Chambers said she also applied to be a board member because she likes complicated work and puzzles, and much of the board's work entails that type of work.

Ventura nominated Chambers to replace Shirley Chase who resigned last September to become the commissioner of the Department of Labor and Industry.

The other nominee, Clyde Miller, is an attorney from Cambridge. He ran an unsuccessful campaign in 2000 as a member of the Independence Party for the House seat occupied by Rep. Rob Eastlund (R-Isanti).

Miller said he became interested in serving to help balance the political makeup of the current board. State law requires that no more than three of the six board members be of the same party. Currently two DFLers and two Republicans serve on the board.

Miller would replace Donald Roggenbauer, whose four-year term expired in January.

The nominees need "advice and consent" approval from three-fifths of the members in both the House and Senate before their confirmations are complete.

The recommendations now go before the full House.

★ ENVIRONMENT

Fertilizer restriction

The use of phosphorus-based lawn fertilizers would be restricted beginning in 2004, under a bill approved by the House April 3.

The House passed the measure (HF1524/SF1555*) 116-16 after substituting the House language for the Senate wording and approving other amendments.

Overuse of fertilizers enriched with the element has been linked to increased algae blooms in lakes and rivers that choke other aquatic life in the state's water bodies.

Rep. Peggy Leppik (R-Golden Valley), the House sponsor, said a more uniform policy is necessary since many residents are confused by the wide array of local regulations.

"If we do nothing, the widening patchwork of local ordinances will become worse," Leppik said.

She pointed to statistics indicating that one pound of phosphorus produces 300 pounds

of algae, which in turns costs hundreds of dollars to remove.

Some rural lawmakers voiced opposition to the bill, arguing it wouldn't target the main sources of phosphorus-related pollution like grass clippings that are dumped in the state's water bodies. An amendment that would have expanded the restriction to include the application of grass clippings and other organic materials to sidewalks, streets, and other "impervious" surfaces was voted down by the body.

The measure would preempt local ordinances regulating the sale of turf fertilizer containing phosphorus beginning Jan. 1, 2004. However, it would grandfather in local ordinances enacted before Aug. 1, 2002 if equal to or harsher than the state law.

A ban on the use of phosphorus-based fertilizers in the seven-county Twin Cities metropolitan area would also take effect Jan. 1, 2004. Counties in Greater Minnesota would be limited to a turf fertilizer containing 3 percent phosphorus.

Those found in violation of the fertilizer regulation would be ticketed with a petty misdemeanor.

The ban would not apply to the state's farmers who use phosphorus when fertilizing crops. Golf courses and private lawns treated professionally by certified specialists would also be exempt if the soil is determined to need phosphorus.

The bill would also direct the commissioner of agriculture, in consultation with the University of Minnesota Extension Service, fertilizer industry, and lake groups, to provide consumers with information about fertilizer restrictions and best practices related to lawn treatment. A report on the effectiveness of the restrictions would be due to the Legislature by Jan. 1, 2007.

The Senate voted to not concur with the House amendments on April 4. The bill, sponsored by Sen. Linda Higgins (DFL-Mpls) in that body, will now go to conference committee to have differences reconciled.

Reporting changes

Gov. Jesse Ventura vetoed a bill April 1 that would have changed a couple of government auditing report procedures.

Under current law, local units of government must report all revenue collected from waste management fees, together with interest earned on the fees and how the revenue is used, to the state auditor.

The bill would have stipulated that the

reports are due annually and would have required them to be sent to the Office of Environmental Assistance rather than the state auditor.

It also would have changed another separate filing requirement involving forfeited property in criminal proceedings. Currently agencies provide a monthly written record of each forfeiture incident to the state auditor. Required information on the report includes the amount forfeited, the date, and a brief description of the circumstances involved.

The report also includes a list of the number of firearms forfeited, along with the make, model, and serial numbers of those firearms.

By law the auditor is required to annually make a report on the information to the Legislature.

The bill would have required that that information be filed with the Office of Strategic and Long Range Planning rather than the auditor.

Finally the bill would have repealed a requirement that local government expenditures for legal services to defend the entity from lawsuits and amounts paid in voluntary settlements or judgments be reported annually to the state auditor.

In his veto message, Ventura wrote that he had "serious reservations" about transferring responsibilities from one state government entity to another without providing funding and staffing changes to make sure the work can get done.

Ventura also expressed concern that with the current hiring freeze passed as part of the law providing the first phase of budget cuts, the Office of Strategic and Long Range Planning could not handle the additional work.

The bill passed the House 120-6 on March 25 and the Senate 60-0 the following day.

House sponsor Rep. Dennis Ozment (R-Rosemount) said the auditor's office along with the agencies involved and groups representing local government were all "on board" with the legislation.

Sen. Ann H. Rest (DFL-New Hope) is the Senate sponsor.

HF3506/SF3084*/CH309

★ GAME & FISH

Permits and licenses

The House passed a game and fish omnibus policy bill April 2 that would allow limited prairie chicken hunting and restrict fishing in private aquatic farms.

After a lengthy debate, the measure (HF2920/SF2674*) advanced in the House on a 103-28 vote after members approved substituting the House language.

The Senate did not agree with the changes

April 3. A conference committee will be convened.

Under the measure, sponsored by Rep. Dennis Ozment (R-Rosemount) and Sen. Jane Krentz (DFL-May Township), hunters would be able to enter a lottery to secure a prairie chicken hunting permit. Those chosen would be required to purchase a \$20 license if they want to harvest the birds.

Further, the bill would establish lifetime hunting licenses for archery. The licenses are already issued for hunting by firearm.

The bill became a magnet for a host of amendments, including one offered by Rep. Torrey Westrom (R-Elbow Lake) that would permit fishing by property owners who own lakeshore next to waters licensed for aquatic farming. The bill restricts other anglers from fishing in the hatcheries.

Westrom's amendment, which passed 77-55, sparked off a debate about the rights of property owners versus the rights of all people to access public waters.

Speaking in defense of the amendment, Ozment said the provision would protect aquatic farmers by barring other anglers from taking their fish. The farmers have made significant investments in the hatcheries, he said.

In opposing the amendment, Rep. Jean Wagenius (DFL-Mpls), said it would effectively protect the rights of the fishery operators and some lakeshore landowners, at the expense of other landowners.

Another amendment tacked on to the bill would add tobacco-product filters to a list of items that cannot be arbitrarily tossed within state parks. Rep. Phyllis Kahn (DFL-Mpls), who offered the amendment, said the provision would target cigarette butts that have become a major source of litter. The amendment was adopted on a 103-27 vote.

Members also approved amendments that would establish a conservation angling license and ban shining at night on agricultural lands marked with signs banning the practice. Shining refers to the use of headlights or spotlights to locate wild animals.

The bill that passed the Senate differs from the House bill in that it contains language regulating all-terrain vehicles.

★ HIGHER EDUCATION

Contract exemption passes

A plan passed April 3 by the House would exempt one group of Minnesota State Colleges and Universities (MnSCU) contracts from the state's contract moratorium.

As part of the state's budget reduction law, groups in the state's executive branch are prohibited from entering into contracts for

**Vetoed
by
the
governor**
★ ★ ★

professional and technical services before July 1, 2003.

However, Rep. Marty Seifert (R-Marshall) said the law inadvertently affects certain activities at college campuses in the state.

The measure (HF3690*/SF3444) would exempt MnSCU contracts paid for from student fees or funds from private sources from the contract moratorium.

Seifert, the House sponsor, said services paid for with student fees that are not able to take place while the ban is in place include speakers for graduation, fine arts festivals, job fairs, student life programming, and spring dances.

Schools could pay for those services with general funds, but instead set up a structure using student fees. "This would not affect the state's general fund," Seifert said of the proposal.

The bill awaits action in the Senate, where it is sponsored by Sen. Tony Kinkel (DFL-Park Rapids).

★ HOUSING

Disclosure protection

Signed by the governor ★ ★ ★ A new law designed to protect the rights of people buying a home was signed by Gov. Jesse Ventura April 1.

Effective Jan. 1, 2003, the law will require people selling a home to tell buyers if there is something wrong with the home that could, "adversely and significantly" affect the buyer's interest in the property.

Rep. Mary Liz Holberg (R-Lakeville) and Sen. Ann Rest (DFL-New Hope) sponsored the law.

Holberg said the law will help protect home buyers and will shield real estate agents from being sued for problems that they were not told about by the home's sellers.

The law does not apply to certain property transfers, such as those between family members or those related to divorces or inheritance.

It includes certain protections for sellers who did not disclose problems because they were unaware of the problem or did not have the technical knowledge needed to determine that the problem existed.

A provision in the law also allows the sale of property "as is" if both parties agree that no legal action will be taken after the sale.

The House passed the measure 98-32 on March 22, and the Senate passed the bill 61-2 on March 25.

Ventura approved a similar measure March 26 when he signed a bill that clarifies

that real estate agents do not have to disclose certain information about a house, such as if it was the scene of a homicide or if it is near a nursing home or group home.

HF3079/SF2697*/CH306

★ INSURANCE

Refusal allowed

Signed by the governor ★ ★ ★

The Joint Underwriting Association, which provides medical malpractice insurance, now has the ability to refuse coverage to someone perceived to be too high a risk, under a new law.

Signed by the governor April 1, the new law changes several laws governing the association, and makes minor revisions to insurance statutes.

Created in 1976, the association provides coverage to doctors and other medical professionals who cannot obtain regular insurance for medical malpractice.

"The purpose (of the association) was to protect the public, but if someone posed a severe risk, (such as) a dangerous person or doctor ... they could continue to practice," said Kris Hasskamp, chair of the Minnesota Joint Underwriting Association and former state representative from Crosby.

The Minnesota association, which also provides liability insurance for various industries,

is already allowed to refuse coverage under state law. The organization generally insures businesses that sell liquor, as well as daycare centers and assisted living communities.

While studying the statutes governing the associations after she became chair, Hasskamp found some of the provisions between the two organizations didn't match. So she contacted a lawmaker.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Linda Scheid (DFL-Brooklyn Park), the new law helps the association avoid too much risk.

It also removes a requirement for the commerce commissioner to automatically review association coverage every two years. The commissioner has the ability to decide who the association should and should not be covering.

Under the new law, the department will only be called to review when there is an issue that needs examining. The change will reduce administration costs for the association and the department.

New insurance provisions include a continuation of life insurance through a former employer. Previously, if a person left a job, they could continue receiving life insurance up to 18 months at the same price plus 2 percent. The new law allows the continuation past 18 months for a higher premium.

Credit insurance, including credit life and credit disability, can now be sold on first mortgage loans on the same basis as other

MARBLE FRAME



PHOTO BY TOM OLMSCHIED

Three-year-old Nicholas Moe, who has food allergies, peeks between columns of the second floor railing in the Capitol Rotunda April 3 as his mother, Michelle, waits to talk with legislators about having ambulances carry epinephrine.

consumer loans. The new law also changes state statutes to conform to federal laws regarding claim forms used between hospitals and clinics and insurance companies.

All changes are effective April 2, 2002.

The new law passed the House 131-0 on March 22 and the Senate 64-0 on March 25.
HF3492/SF3315*/CH307

★ LOCAL GOVERNMENT

Tank maintenance, new terms

A bill that would allow municipalities greater flexibility in the way they pay for repair and maintenance on water tanks was passed by the House 88-42 April 3.

House sponsor Rep. Larry Howes (R-Walker) said the bill (HF2995/SF3168*) would allow municipalities either through direct negotiation or through a request for proposal process to enter into multiyear professional service contracts for work on water tanks.

Howes said the bill would allow municipalities to spread out payments over a period of time rather than having to pay the entire costs up front.

The bill also would allow the city of Walker to enter into an agreement with either the Department of Human Services or the Department of Administration to allow it to take over the maintenance and operation of a water tower owned by the state and located at the Ah-Gwah-Ching nursing home facility.

An amendment offered by Rep. Phyllis Kahn (DFL-Mpls) was adopted that would require city council members with four-year terms who are elected by ward to run for a new term in 2003. The requirement would only apply to the cities of Minneapolis, St. Paul, Bloomington, and Duluth.

The city of Minneapolis went to four-year terms for city council members a few years ago. Council members were elected last November under current ward boundaries and won't run again until 2005. However, when those boundaries change later this year, a worst-case scenario would place two council members in the same ward, and some residents would have no representative.

The bill now returns to the Senate where it passed without the amendment 61-2 March 11. Sen. Dan Stevens (R-Mora) is the Senate sponsor.

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Office at (651) 296-2146
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★ MILITARY

Called to duty

**Signed
by
the
governor
★ ★ ★**

Members of the Minnesota National Guard can be called to duty by the governor for state active service or federally funded state active service. Members can also be called to action by the president for federal active service.

A new law signed April 1 by Gov. Jesse Ventura changes state law regarding the code of military justice for guard members called to duty by the governor so that it conforms more closely to federal code.

The new law deletes obsolete statutory language, and clarifies and updates language and terms.

Judge Advocate Gen. John Brossart, a lieutenant colonel in the Minnesota National Guard, told the House Governmental Operations and Veterans Affairs Policy Committee Feb. 15 that most of the prior law was adopted in 1963 with amendments passed in 1974 and 1986.

An example of bringing the state code more into conformity with the federal Uniform Code of Military Justice is a provision of the

new law relating to the code's definition of "desertion" and the procedure to deal with that violation. Desertion under the previous law contained a clause that defined the act as quitting a member's unit, organization, or place of duty with intent to avoid hazardous duty or to shirk "important" service. The new law removes the word "important" from the definition.

Under the same section, the law clarifies that those presumed in violation of the definitions of desertion are not merely "guilty" but rather "shall be punished as a court-martial may direct."

Effective Aug. 1, 2002, the new law is sponsored by Rep. Rob Eastlund (R-Isanti) and Sen. Leo Foley (DFL-Coon Rapids).

HF3221/SF3145*/CH308

★ RECREATION

Trail maintenance

The House passed a bill April 2 that would appropriate \$1.2 million for all-terrain vehicle trail maintenance and bar cross-country ATV travel in state forests.

The measure (HF2970), sponsored by Rep. Tom Hackbarth (R-Cedar), cleared the House floor on a 130-2 vote. It now goes to the Senate for consideration.

The House vote comes on the heels of news reports showing environmental damage in some Minnesota forests and wetlands stemming from heavy all-terrain vehicle use.

Hackbarth said the bill represents a compromise between state environmental groups, ATV users, and the Department of Natural Resources (DNR).

The appropriation for fiscal year 2003 would be funded by taking \$700,000 from the all-terrain vehicle account, \$460,000 from the off-road vehicle account, and \$55,000 from the off-highway motorcycle account.

Monies would go toward hiring additional DNR conservation officers to monitor and enforce state all-terrain vehicle regulations.

The Senate companion measure (SF3010), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), includes the same amount of money for trail maintenance and enforcement activities.

Restrictions on ATV travel in state forests would not apply to big game hunters during the hunting or trapping seasons.

Members also approved a number of amendments to the bill, including one that would exempt forest harvesters from the ATV restrictions. Minnesotans who only use ATVs on their own private property would not have to register their vehicles under another amendment to the bill.

SNOWY TRAIL



PHOTO BY BECKY EKSTAM

Students slowly clear a path up the front steps of the State Capitol through freshly fallen snow on April 2.

A couple of amendments related to snowmobiles were also attached to the measure. One provision would exempt snowmobiles from the 50-mph speed limit posted on some state waters. It would require an administrative law judge to determine a maximum, reasonable speed.

Another amendment would allow the DNR to use up to 50 percent of the state snowmobile maintenance and grooming grant to reimburse people who were intended to receive that money this year but didn't due to a lighter snow pack this winter.

★ SAFETY

Legalizing fireworks

The House passed a bill April 4 that would allow the sale and use of fireworks during certain times of the year. The vote was 81-52.

The bill (HF2525/SF2960*) would allow fireworks approved by the federal government to be sold by licensed dealers from May 1 to July 15 and Dec. 1 to Jan. 2, and used on private land from July 1-7 and Dec. 26 to Jan. 2.

Those buying the fireworks would be required to be at least 18 years of age and would have to show a picture identification before being allowed to purchase the items.

Rep. Wes Skoglund (DFL-Mpls) offered an unsuccessful amendment that would have deleted the fireworks section from the bill. He said legalization would lead to more injuries particularly to the children in the state. "Kids like fire. Kids like bang. Kids are going to get hurt under this bill."

Speaking against the amendment was Rep. Mark Holsten (R-Stillwater), whose bill to legalize fireworks (HF1543) was amended on to this bill during the committee process. He said fireworks are allowed in 41 other states, and the national trend has been to legalize their use rather than restrict or ban them.

Rep. Tom Bakk (DFL-Cook) said that because most children have already used fireworks, having a law that makes them illegal sends a message it is acceptable to pick and choose what laws to obey.

Using that logic, Rep. Dennis Ozment (R-Rosemount) said that would mean that the state's speed limit laws should also be repealed. Ozment, a retired fire captain, said that volunteer firefighter associations throughout the state oppose the measure because it would lead to more fires.

The bill would also prohibit employers with at least 10 employees from taking disciplinary action against an employee who misses time while performing volunteer fire fighting duties.

Under the measure, employees would be allowed to miss up to 40 hours of work per year to perform duties that are related to emergency response, but not administrative or training duties.

Rep. Tom Hackbarth (R-Cedar) and Sen. Debbie Johnson (R-Ham Lake) are the bill's sponsors. The bill now returns to the Senate, where it passed 65-0 March 8 without the fireworks provision.

Yield to emergency vehicles

It is now up to Gov. Jesse Ventura to decide whether drivers who fail to yield to emergency vehicles should face harsher penalties.

The House gave final approval April 2 to a plan (HF2706) to crack down on drivers who do not pull over for ambulances, fire trucks, and other emergency vehicles. The vote was 128-0.

Sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul), the bill was previously passed by the House and sent to the Senate, which amended the bill and returned it to the House. The March 26 Senate vote was 57-0.

The bill would allow emergency vehicle drivers to call in the license plate numbers of drivers who don't pull over, or who intentionally get in the way of emergency vehicles that are responding to a call.

Under the bill, it would be a petty misdemeanor for drivers who simply refuse to yield because they don't know the law or don't notice the vehicle, but a misdemeanor for those who intentionally impede the emergency vehicle.

Entenza said the bill is needed because drivers are refusing to yield to emergency vehicles more and more frequently.

The change would give emergency vehicle drivers similar authority to call in license plates that school bus drivers now have to report drivers who drive through a bus stop sign, he said.

★ TRANSPORTATION

Modifications pass

The House passed the state Department of Transportation annual housekeeping bill on April 2 after several hours of debate spanning two days and encountering numerous amendments.

The bill (HF3199/SF3298*) sponsored by Rep. William Kuisle, (R-Rochester) and Sen. Dean Johnson (DFL-Willmar), makes several changes to transportation issues around the state, and House members tacked on nearly a

dozen amendments before passing the bill 110-22.

Among other changes, the bill modifies commercial vehicle weight limits, prohibits spending money on the Dan Patch commuter rail line between Northfield and Minneapolis, allows advance funding for certain highway construction projects, and keeps the Stillwater bridge project alive.

A provision in the bill also recognizes an agreement reached between the Minnehaha Creek Watershed District and the Minnesota Department of Transportation concerning Camp Coldwater Springs near Fort Snelling.

A law passed last year to protect the spring halted highway construction of the interchange of Highways 55 and 62.

Rep. Jim Abeler (R-Anoka) twice failed in adding a provision that would have regulated where school buses can park in front of schools in order to prevent children from being exposed to diesel fumes. Some legislators said the requirement would cause problems for school districts since they would have to find new places to park buses.

Much of the floor debate centered around a successful amendment proposed by Rep. Mike Osskopp (R-Lake City) that would ban the city of Minneapolis from adopting zoning ordinances that would affect commercial or industrial activity along the upper harbor of the Mississippi River.

Rep. Phyllis Kahn (DFL-Mpls) argued against the amendment, saying it isn't fair for the state to tell cities how to best use their riverfronts.

Osskopp and others responded that the river serves as an important transportation waterway for the state and Minneapolis shouldn't be allowed to close ports.

The Senate voted to not approve the changes made by the House April 3 and requested a conference committee to work out the differences.

Where to find information

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Keeping costs down

House, Senate have separate prescription drug plans on the table, but budget shortfall is an obstacle

By SARAH MCKENZIE

State legislators around the country are mounting an aggressive campaign to make prescription drugs more affordable for senior citizens and even low-income or disabled residents under 65 — joining federal lawmakers who have placed the issue high on their agendas.

The National Conference of State Legislatures (NCSL) reported on March 27 that lawmakers in 37 states, including Minnesota, are considering more than 180 bills related to prescription drugs.

While Congress considers adding a prescription drug benefit to Medicare — the nation's largest health insurance plan that covers about 40 million older Americans — state lawmakers are increasingly turning to local plans that would ease the financial burdens of seniors by directly subsidizing the drug costs or launching discount programs.

Although the looming budget deficit has largely put the issue on the back burner, Minnesota lawmakers have stated they are eager to do more to help seniors pay for drugs.

In 1999 Minnesota established a prescription drug subsidy program. Richard Cauchi, a NCSL healthcare analyst in Denver, said 12 other states have adopted similar programs in the past five years. Overall, 26 states have some form of subsidized prescription drug coverage plans, he said.

"Pharmaceutical policy debate continues to be intense," Cauchi said. "This year preferred drug lists, supplemental rebates and prior authorization are hot, while bulk buying and discounts also attract broad interest."

The Minnesota program applies to low-income seniors age 65 and older who earn a maximum of 120 percent of federal poverty (\$879 per month for an individual and \$1,181 for a couple).

The program came on the heels of a 1997 University of Minnesota study indicating 125,000 low-income senior citizens lacked prescription drug coverage. Meanwhile, about 35 percent paid more than \$500 a year for drugs, with 19 percent paying more

at a Medicaid rate, potentially reducing costs by 20 percent, Bradley said. Participating pharmacies would be able to seek state reimbursement for prescriptions sold at discounted prices.

The bill has since stalled as Minnesota legislators grapple with a budget shortfall. House

leaders have targeted hefty spending reductions in health and human services to balance the budget.

"The primary problem at this point is funding," Bradley said. "With the serious budget deficit, it is very hard to find the several million dollars needed to fund this proposal. I haven't given up hope, but I have no identified source at this time."

For its part, the Senate passed a bill (SF765), dubbed the fair drug-pricing act, last May. The House referred the measure to committee. Senate Assistant Majority Leader John Hottinger (DFL-Mankato) is the bill sponsor.

The two bills differ in that the Senate version of the prescription drug rebate program does not limit eligibility based on income. The Senate bill would appropriate \$5 million from the general fund to launch the drug discount program.

Bradley said the House version of the program balances the needs of consumers with those of pharmacists.

"With the mean's testing language, cost coverage for pharmacists and careful analysis of (Department of Human Services) payment turnaround, we have managed to greatly reduce the concerns of pharmacists," he said. "Senior Federation advocates remain concerned about the means testing, but I have made it clear that the bill would not continue without this provision."

Kate Stahl, president of the Minnesota Senior Federation for the Twin Cities metropolitan area, said the group was discouraged that the bill has slipped down the Legislature's list of priorities. She called on state lawmakers to



Photo illustration by Tom Olmscheid

Many states are considering state-level prescription drug discount programs to help residents pay for costs.

than \$1,000.

The 2001 Legislature appropriated \$3.8 million for the prescription drug program this fiscal year and \$8.7 million in fiscal year 2003.

Another plan to make prescription drugs more affordable is inching along in the Legislature this year.

Earlier this session, the House Health and Human Services Policy and Finance committees approved a bill (HF2646), sponsored by Rep. Fran Bradley (R-Rochester), that would establish a prescription drug discount program for Minnesotans who earn a maximum 250 percent of federal poverty (\$21,475 or less).

The plan would allow patients to buy drugs

Continued on page 23

Plenty of time

Legislators are more than a month away from using up all legislative days in the biennium

By DAVID MAEDA

When the Legislature reconvened for its 82nd session Jan. 29, the stated goal from both sides of the aisle in both bodies was to finish business by the Passover/Easter holiday — an ambitious goal considering both fell at the end of March.

That the goal wasn't accomplished shouldn't come as a surprise when comparing the current session with previous ones historically.

Statistics show that other two-year sessions have traditionally gone past the holiday even when Passover and Easter fell later in the year. In the previous biennia, for example, the Legislature used a record 118 legislative days before adjourning on May 18, 2000.

Biennial sessions are limited by the constitution to 120 legislative days.

Statutorily a legislative day is defined as a day when either house of the Legislature is called to order. In what can sometimes seem to be a disorderly process, a legislative day begins at 7 a.m. and continues until 7 a.m. the following calendar day.

As of April 4, the Legislature had used 95 legislative days this session.

Leadership of the House and Senate determine the schedule that will be used in the second year of the biennium meaning even-year sessions have started and ended at various times over the past decade. In 1998, for example, the session opened Jan. 20 and adjourned April 9. In 2000, the session opened Feb. 1 and lawmakers returned home after the May adjournment.

The Legislature met only every other year before a 1972 constitutional amendment allowed for the current system.

Since 1973, the regular session of the Legislature has been a biennial session — technically a single session extending over parts of a

two-year period. The Legislature has met every year since 1973 although there is no legal requirement that it meet in the even years.

Current law requires the Legislature to convene on the Tuesday after the first Monday in January of each odd-numbered year.

When it comes to the legislative calendar, the state's constitution also establishes a few stipulations.

For example, the Legislature is required to meet at the seat of government in regular session in each biennium. The session must adjourn by the Monday following the third Saturday in May of any year.

The constitution prohibits either the Senate or House from adjourning for more than three days (excluding Sundays) without

or early-April.

By the numbers, the Legislature used 109 legislative days in 1997-1998, 113 days in 1995-1996, 106 days in 1993-1994, and 100 days in 1991-1992.

Prior to 1999-2000, the longest session on record was the first two-year session in 1973-1974 when lawmakers took 116 days to complete their work.

The shortest two-year session on record was 1983-1984 when the Legislature met a total of 84 days.

Traditionally, the first, or odd-numbered, year of the session has been devoted to setting budgets for state agencies, constitutional offices, the Legislature, and the judicial branch of state government. The second year has been devoted to establishing a list of construction and repair projects to be paid for by selling bonds. The second year has also usually included supplemental spending and revenue adjustments for costs, surpluses, and deficits that were unforeseen the previous budget year.

Since 1973 the average two-year session has met for 100 days, 60 days on average in the odd years and 40 days on average in the even years.

The Legislature used 59 legislative days in 2001. That number does not include the nine-day special session that was needed to reach agreement on the budget for the current biennium. Special sessions are not calculated into the regular sessions since they must be called by the governor.

And while it may seem as though meeting every year means that lawmakers see more of each other in St. Paul that isn't necessarily the case.

Prior to 1973 the every other year sessions were not much shorter in terms of legislative days used. Instead lawmakers compressed their work, meeting more often and

recessing less frequently and for shorter periods of days.


The 1971 Legislature used 104 legislative days to complete its work (with an additional 54 needed in a special session). The 1969 Legislature used 102 legislative days, while 103 days were needed in 1967 and 1965. 



PHOTO BY TOM OLMSCHIED

The House discusses one of many policy bills taken up April 2. House members are not sure how long they will be in session as many issues remain unresolved, but they have plenty of time remaining before they reach constitutional deadlines and constraints for adjournment.

the consent of the other body and from meeting in any place other "than that in which the two houses shall be assembled without the consent of the other house."

Generally the first year of the biennial session begins in early-January and adjourns for the year in late-May. The even-year sessions have typically started around the beginning of February and have adjourned in late-March

Crossing another bridge

Marko to exit the House, but hopes to continue legislative service in the Senate

By DAVID MAEDA

In June 1985, Rep. Sharon Marko (DFL-Cottage Grove) moved to the Twin Cities from Chicago for graduate school. One of the first things she noticed during her first drive into the southeastern part of the metropolitan area was the traffic problem in the Wakota Bridge area where Interstate 494 intersects with Highway 61.

She immediately wondered what designers were thinking in building a four-lane bridge at the only Mississippi River crossing between Hastings and St. Paul. The bridge is part of a major truck route.

What she later discovered was that the Wakota Bridge, named after the two counties that it connects — Dakota and Washington — was completed in 1958. When the freeway was later constructed, engineers incorporated the bridge into the road system rather than tearing it down and building a more adequate crossing.

Weekday traffic figures on the bridge that connects Newport and South St. Paul reached an estimated 80,000 vehicles by the mid-1990s. Making the bottleneck even worse is an antiquated junction connecting I-494 and Highway 61 east of the bridge.

“First responders have to get out of their cars and run up on the bridge to get to the accident,” Marko said.

It was the bridge and issues related to it that started Marko’s public service career.

As she settled into her new home in Newport she began attending city council meetings hoping to bring attention to the importance of addressing the traffic issue.

She learned the Minnesota Department of Transportation (MnDOT) told the community that all local issues involving the highway needed to be addressed before the project would become a priority for the department. That meant that whatever solution was developed would not be completed until the year 2020.

“That would have been the death knell for the city of Newport,” Marko said.

She won a spot on the city council in 1989, serving for three years and chairing a task force designed to develop community consensus for

a plan to address the traffic issue. She eventually became the deputy mayor where she served for two years.

A few months after the task force completed its plan in 1994, the House member from Marko’s district, former Rep. Pat Beard (DFL-Cottage Grove), announced he would not



PHOTO BY TOM OLSCHIED

Rep. Sharon Marko asks a question during a hearing of the House Transportation Policy Committee earlier this session. Marko plans to leave the House and seek a seat in the Minnesota Senate in November. Rep. Bernie Lieder, left, and Rep. Henry Kalis, right, are also members of the committee.

seek re-election. Marko said the timing seemed perfect and she would be able to follow the project to the next level — securing state funding.

Addressing the issue was originally estimated to cost tens of millions of dollars. Construction is set to begin this spring at an estimated \$250 million, with anticipated completion in five to six years.

During the 16 years she spent working on the project, Marko said she never doubted that it would eventually get done. However, she said that focusing on getting the whole project done at one time has been a fight.

“I like to call it a ‘House of Cards’ where if you don’t build the whole thing at once and you pick out bits and pieces then the whole thing falls apart,” she said.

In addition to serving on the House Transportation Policy and Finance committees,

Marko was the lead DFL member of the House Local Government and Metropolitan Affairs Committee.

And now she hopes the next step will include a seat in the Minnesota Senate.

When the redistricting plan was announced, Marko said, she was surprised to see a newly created Senate district that incorporates her entire House district. Again the timing of the new opportunity seemed perfect.

She cited the culture differences between the House and Senate as one reason a Senate run seemed natural. She considers herself a “policy wonk,” and she said the Senate seems more deliberate and less political in its decision-making.

“I think they are able to take a step back in the Senate and give policy a little more thought,” she

said. “They tend to be a little more deliberate and I think that makes for good public policy.”

Serving for four terms meant developing many friendships, and Marko said she will miss working with her colleagues. Those on the other side of the aisle said they appreciated her abilities as a member of the House.

“She was always on top of the issues. I consider her to be very bright and a very capable legisla-

tor,” said Rep. Greg Davids (R-Preston).

Though Marko has gotten the most attention for her work on the Wakota Bridge, that has not been her most gratifying accomplishment.

“When a constituent has called me and I can help with a problem — all this is done quietly — and then I get a letter of thanks. That makes me feel better than anything else.” 🐼

STEPPING DOWN

Rep. Sharon Marko

DFL

District 57B — Cottage Grove

Terms: 4

Career notes: Marko worked to help secure funding for a new bridge spanning the Mississippi River near Newport to alleviate congestion on the Wakota Bridge.

Redistricting casualty

New boundaries prompt McGuire to step aside after 14 years at the State Capitol

By LISA HILTON

Rep. Mary Jo McGuire (DFL-Falcon Heights) attributes her entrance into state politics to hard work, a good campaign, and a little bit of fate.

Although she was encouraged by members of the DFL caucus to challenge a well-liked Republican incumbent, "no one really expected me to win," McGuire says.

Then, on the day she decided she would take up the challenge, the incumbent died, changing the political atmosphere. Although it was still a tough race between McGuire and her Republican challenger, McGuire won the chance to represent the people of District 54A,

seek re-election eight days after new district maps were released March 19.

Although she is sad to leave, McGuire said knowing that people in her district could be represented by Hausman and Rep. Mindy Greiling (DFL-Roseville) made the decision to step down easier.

"I know I'm leaving the district in good hands," McGuire said.

McGuire expressed frustration that the courts combined the districts of female members of the House when drawing the maps.

"It wasn't a complete surprise, but it's unfortunate to be losing another woman," she said. "As an institution, we should be increasing the number of women."

Of 134 members of the House, only 34 are female, and the state should work to better reflect the state's population, she said.

Born and raised in Falcon Heights, McGuire still lives in her childhood home. Her knowledge and involvement in the community has made her job in the Legislature easier, she said.

McGuire was active in student government while attending the College at St. Catherine in St. Paul where she earned a degree in business administration before going on to Hamline University School of Law. There she earned a law degree and also worked towards a master's degree in public administration, which she later finished at Harvard University's Kennedy School of Government.

During her time in office, McGuire has fought for child-care issues, education (particularly early childhood), violence prevention, data practices issues, and stopping underage drinking and drug use.

McGuire counts an anti-stalking bill that became law as one of her successes. Minnesota was one of the first states to treat stalking seriously, she said.

Another bill that requires beer kegs to be registered in an effort to reduce underage drinking became law this session after nine years of work.

Hausman said McGuire will be remembered for her work on education, early childhood, and family issues.

"If there is a legacy we will long appreciate, it is Mary Jo's work on education generally, certainly for the University of Minnesota, but especially early childhood education," she said.

Rep. Barb Sykora (R-Excelsior) is chair of the House Family and Early Childhood Education Finance committee. McGuire now serves as that committee's DFL lead.

Although they often disagreed on issues, Sykora said she has enjoyed serving with McGuire. "She's a fun person to be with. We don't always see eye to eye on everything, but that is to be expected."

When she's not in the public arena, McGuire can sometimes be found on the ice arena.

Growing up a block away from an ice rink, McGuire enjoys ice skating and playing hockey, and she is training to become a referee for girl's hockey. On Sunday nights, she often joins a group of legislators and friends for a game.

She will also continue to teach at her alma mater, commonly known as St. Kate's, where she teaches classes in the Weekend College Program.

McGuire said she won't miss her frustration with partisan politics getting in the way of change but she will miss the friends she has made at the State Capitol over the years.


Though she's not ruling out public office, she also says she plans to concentrate on working for the issues she cares about. 



PHOTO BY TOM OLMSCHIED

Rep. Mary Jo McGuire, left, and Rep. Alice Hausman share a light moment during a March 27 news conference where McGuire announced her retirement from the House. The court-drawn redistricting plan paired the friends in the same district.

which includes Falcon Heights, Lauderdale, Roseville, and St. Anthony.

"Fate brought me to the opportunity," McGuire said.

Now 14 years later, it seems fate is calling again.

Like 35 other representatives, newly redrawn district lines left McGuire paired with another incumbent. The new political map combined her district with that of her colleague, neighbor in the chamber, and friend, Rep. Alice Hausman (DFL-St. Paul).

McGuire announced her decision to not

STEPPING DOWN

Rep. Mary Jo McGuire
DFL

District 54A — Falcon Heights

Terms: 7

Career notes: McGuire has worked on early childhood and family education initiatives, serving as the DFL lead on the committee governing funding for those issues. She also worked for a keg registration measure that became law this session, an effort to curtail underage drinking.

International tourism

Officials urge continued presence abroad to attract foreign tourists who generate revenue for the state

By THERESA STAHL

Through advertising, media tours, and trade missions, the state encourages people in other countries to come experience the variety of activities Minnesota offers. Officials say it's a modest investment for the state — \$480,000 in 2002 — that yields a high rate of return.

In 1999, international tourism reeled in nearly \$400 million.

"Once we can get people here, we can get people hooked," said Cheryl Offerman, international marketing manager for the Minnesota Office of Tourism.

International visitors spend five to seven times the amount of money that a domestic traveler does, according to Offerman. International tourism marketing accounts for less than 5 percent of the state's tourism budget.

Promoting international tourism has been a goal for the state Office of Tourism since the 1970s. In 1979, the office even requested a supplemental appropriation of \$840,000 to expand its reach, including international markets.

Traditionally, the governor has been involved in major annual promotional events such as the governor's fishing opener.

And in recent years such draws as the Mall of America have become international tourism promotion tools for governors, particularly Govs. Rudy Perpich and Arne Carlson.

However, tourism efforts are suffering the effects of last year's recession and further economic downturn subsequent to Sept. 11. Like many areas of government, the Office of Tourism has experienced budget cuts.

Under the state budget reductions that recently became law, the office will cut \$440,000 in this biennium and \$700,000 in the 2004-05 years.

But officials emphasize the importance of promoting tourism as an economic development and revenue-generating tool.

In Minnesota, the annual \$9 billion tourism industry comes close to the revenue generated by the state's agriculture industry, according to Office of Tourism Director John



Photo courtesy of the Minnesota Historical Society

State tourism officials are targeting foreign markets to draw tourists to the state's attractions, including natural phenomena like the Mississippi River headwaters.

Edman.

And officials emphasize the need to maintain a presence in the international tourism market, though they recognize they're performing many of the same duties with fewer resources.

Offerman said Minnesota's goal is to maintain the level of tourism the state saw in 2001, with growth predicted in 2003.

To achieve that goal, tourism missions abroad have continued. Offerman accompanied Gov. Jesse Ventura on a recent tourism mission to Germany. The trip cost around \$40,000 for the governor's tour and trade show expenses. Just getting Minnesota's name in the media over the course of the trip is worth tens of thousands of dollars, she said.

Germany is one of several countries Minnesota has chosen to focus its marketing program on and has been doing so for more than 10 years. Others include Canada, the United Kingdom, Switzerland, Austria, Belgium, the Netherlands, and Japan.

Japanese travelers account for the largest number of overseas visitors, for business or pleasure, to Minnesota. In 1999, Ventura went on a trade and tourism mission to Japan, costing taxpayers \$100,000.

With the rising popularity of golf in Japan and its limited space to meet the growth with new courses, Ventura promoted Minnesota's greens on his visit, according to local newspaper reports. He also encouraged tour operators to recommend fishing vacation packages and talked up the state's winter sports, such as snowmobiling.

Targeting the same countries over long periods of time has proven prosperous for the state.

"We have a long-term commitment to the market," Offerman said. "Other states have a hop-sotch approach," which isn't as successful.

A 1997 report to the Legislature on the state's international tourism program said: "The Minnesota Office of Tourism has traditionally entered a market, established industry and infrastructure relationship, and then encouraged Minnesota private sector travel industry representatives to accompany staff at trade shows and on sales missions."

Traditional first-time visitors to the United States visit Florida, New York, California, and Hawaii, the report said. The second time to the states, travelers visit national parks in the western states.

"Minnesota will remain an option for third-time and repeat visitors to the U.S.," according to the report. "Fortunately, international visitors travel to the U.S. an average of 10 times, so Minnesota will remain a potential destination for millions of international visitors."

Being home to a special shopping attraction doesn't hurt the state's tourism draw either. "With the opening of the Mall of America in late-1992, Minnesota started to receive increased recognition as an international stop-over, if not as a destination," according to the tourism report.

"International tourism will provide the most significant opportunities for continued growth for the Minnesota travel and tourism industry," the report claimed. 🏰

Where have all the bills gone?

Each legislative session, members introduce more than 2,500 bills, many of which receive hearings. However, only about 10 percent of those bills become law and the others wait their turn or never resurface. If you've

been wondering what happened to many of the measures discussed during 2002, the editors have compiled an unofficial list of bills and their status as of April 4. Please note: this is not a complete list of all

bills heard and introduced. It merely reflects the issues that received hearings, votes, and other attention this year.

Bill Number	Description	Status
HF58*/SF389/CH232	Requires beer kegs sold in Minnesota to be labeled with an identification tag.	Signed by the governor March 13.
HF94/SF222*/CH270	Provides greater penalties for people violating game and fish overlimit laws.	Signed by the governor March 25.
HF175	Requires that a percentage of cigarettes sold in the state be made of fire-retardant materials by July 1, 2004.	Awaits action on the House floor.
HF197*/SF107/CH280	Authorizes \$7.8 million in grants to public television stations to implement digital television conversion.	Vetoed by the governor March 27.
HF289*/SF1514	Provides four-year terms for representatives and senators.	Awaits action on the House floor.
HF643	Places a constitutional amendment question on the general election ballot asking voters whether to establish a system of ballot initiative and referendum.	Passed the House 76-57 on March 21; awaits action in the Senate Rules and Legislative Administration Committee.
HF861	Imposes a penalty of life imprisonment without parole for murdering a child under age 14.	Awaits action on the House floor.
HF1097/SF1072*/CH255	Designates Eric Enstrom's "Grace" as the state photograph.	Signed by the governor March 22.
HF1205	Would have allowed wine sales in grocery stores.	Failed in House Commerce, Jobs, and Economic Development Policy Committee Feb. 20.
HF1359/SF2125*	Designates certain state consolidated conservation lands as wildlife management areas; authorizes the Department of Natural Resources to enforce ATV regulations.	Awaits action on the House floor.
HF1517	Allows children to play in portable wading pools at in-home daycare centers.	Awaits action by the governor.
HF1524/SF1555*	Restricts the use of phosphorus fertilizer on lawns.	Awaits action in conference committee.
HF1543	Legalizes sale of fireworks during certain times of the year.	Amended to HF2525, a bill providing unpaid leave for volunteer firefighters; that bill passed the House 81-25 on April 4.
HF1547/SF1495*/CH244	Requires a 2 percent biodiesel blend by March 1, 2005.	Filed as law with the Secretary of State, without the governor's signature, March 15.
HF2214*/SF1857	Authorizes sale of up to \$330 million in revenue bonds to help finance construction of a baseball stadium; provides framework including \$165 million in team contributions and local referendum.	Awaits action by a House-Senate conference committee.
HF2437	Requires that high-school wrestling teams be gender-separated.	Awaits action on the House floor.
HF2473*/SF2807	Provides that an organ donor designation on a driver's license is sufficient intent the person wished to donate their organs.	Awaits action by the governor.
HF2492/SF2363*	Prohibits the use of credit scoring for underwriting homeowners or automobile insurance.	Passed the House 131-2 on April 4; passed Senate March 14 65-0.
HF2525/SF2960*	Unpaid leave provided for employees serving as volunteer firefighters.	Passed the House 81-62 on April 4; passed Senate 65-0 on March 8.
HF2542	Provides bonding funds for construction of the Minneapolis Planetarium.	Funds were not included in the House bonding bill (HF3618), but the project is included in the Senate version of that bill. The bill awaits conference committee action.

Bill Number	Description	Status
HF2568	Transfers the Metropolitan Airports Commission to the state Department of Transportation.	Awaits action by the House Transportation Finance Committee.
HF2570*/SF2533/CH283	Requires insurance companies to pay a fair and reasonable price for auto glass replacement and prohibits steering customers to particular companies, as well as incentives, such as steaks or cash.	Vetoed by Gov. Ventura on March 26; veto overridden by the House March 26 and the Senate March 27. Bill took effect March 28.
HF2589	Encourages use of corn-based de-icers on Minnesota highways.	Awaits action on the House floor.
HF2598	Requires students in public and charter schools to recite the pledge of allegiance.	Passed House 114-11 on Feb. 27; awaits action by the full Senate.
HF2603/SF2627*/CH259	Requires professionals performing eye examinations to release contact lens prescriptions.	Signed by the governor March 22.
HF2613	Prohibits people convicted of a violent felony from ever possessing a firearm.	Awaits action on the House floor.
HF2622*/SF2683	Provides various measures to prevent and respond to acts of terrorism in Minnesota.	Passed House 94-39 on March 20; passed Senate 66-0 on March 21. Bill awaits action by conference committee.
HF2632	Permits charter buses to also use shoulders on highways.	Awaits action on the House floor; included in Senate version of the transportation housekeeping bill (HF3199/SF3298*) awaiting action in a conference committee.
HF2636	Extends unemployment benefits for employees of Farmland Foods Company in Albert Lea.	Included in HF3648 awaiting action on the House floor.
HF2644	Provides bonding funds for homeless veterans and single adults.	Included in the House bonding proposal (HF3618) that awaits action by a House-Senate conference committee.
HF2646	Provides a prescription drug discount program for certain low-income Minnesotans.	Stalled in the House Health and Human Services Finance Committee.
HF2660	Modifies school instruction regarding sexually transmitted diseases to include marriage education.	Awaits action on the House floor.
HF2680	Allows commissioner of revenue to increase gas taxes annually as necessary to fund projects from a major project account, also established by the bill.	Initially included in HF3364, which no longer increases the gas tax but provides bonding funds for transportation projects; that bill awaits action by a House-Senate conference committee.
HF2690	Provides bonding funds for Reinvest in Minnesota conservation program.	Some funds included in House bonding bill (HF3618) awaiting action in conference committee.
HF2706	Allows emergency vehicle drivers to call in license numbers of vehicles that do not yield the right of way.	Awaits action by the governor.
HF2708	Clarifies the work definition for county extension services.	Awaits action on the House floor.
HF2710/SF3246*	Establishes a do-not-call list for telephone solicitation.	Passed House 126-8 on April 4; passed Senate 65-1 on March 21.
HF2715	Provides exemptions for some property and sales taxes to residents of certain border cities.	Awaits action in the House Taxes Committee.
HF2719*/SF2877	Regulates solicitation of college athletes by sports agents.	Passed House 81-47 on March 26; passed Senate 63-0 on April 4.
HF2752	Reduces spending by state agencies on consulting services.	HF351*/SF264/CH220, the first phase of budget cuts, imposed a moratorium on state consulting contracts. That bill became law Feb. 28 after a legislative override of Gov. Ventura's veto.
HF2761/SF197	Creates a treasurer's office, now a constitutional office that is abolished as of Jan. 1, 2003.	Included in the state government finance bill (HF3270) that has passed both the House and Senate and may require a conference committee.
HF2764/SF2505	Provides for a unicameral legislature.	Failed in the House Ways and Means Committee March 25.
HF2789/HF3423/HF3433/HF3658/HF3659	Authorize construction of either a baseball or football stadium.	These bills were not included in the stadium plan approved by the House Taxes Committee.
HF2799	Authorizes operation of a state-run casino.	Stalled in the House Governmental Operations and Veterans Affairs Policy Committee.
HF2811	Provides state bonding funds for construction of the Guthrie Theater in Minneapolis.	Not included in House bonding bill (HF3618)

Bill Number	Description	Status
HF2818	Provides state bonds for initial development of the Northstar commuter rail corridor.	Initially included in the House bonding proposal, but removed from the version that passed the House (HF3618); some funding included in Senate proposal. The bill awaits action by a conference committee.
HF2846	Provides biological agents registry.	Included in House anti-terrorism bill (HF2622) awaiting conference committee action.
HF2849	Allows certain public meetings to be closed when discussing issues of security.	Included in House anti-terrorism bill (HF2622), awaiting action in conference committee.
HF2876	Removes provision that charges sales tax on bakery items prepared in the same place they are sold.	Awaits action in the House Taxes Committee.
HF2882*/SF3122/CH285	Regulates operation of electric personal mobility devices on sidewalks and roadways.	Signed by the governor March 25.
HF2899*/SF2711/CH246	Allows communities to be a part of the Metropolitan Council livable communities program until they opt out.	Signed by the governor March 21.
HF2904/SF2970*	Requires that motor vehicle airbags be replaced after a collision.	Passed Senate 62-0 on March 11; awaits action in the House Civil Law Committee.
HF2917	Provides bonds as a state match a federal initiative to improve public land and buildings in Minneapolis neighborhoods.	Not included in the House bonding bill (HF3618); Senate proposal (SF3203) contains funding; bill awaits action in conference committee.
HF2920/SF2674*	Department of Natural Resources wildlife and forestry bill.	Awaits action in conference committee.
HF2962	Provides funding for preliminary planning of the new Roy Wilkins Auditorium in St. Paul.	Not included in House bonding bill (HF3618) but is partially funded in Senate proposal (SF3203); those bills await action in a conference committee.
HF2970*/SF3010	Appropriates \$1.2 million for increased enforcement and monitoring of all-terrain vehicles on state trails and bans cross-country all-terrain vehicle travel in the state.	Passed House 130-2 on April 2; awaits action on the Senate floor.
HF2984	Allows alternative school district plans to be approved by a legislative oversight committee.	Stalled in the House Education Policy Committee.
HF3004	Allows veterans organizations to pay utility bills with lawful gambling proceeds.	Awaits action on the House floor.
HF3005	Grant program to help local communities build or renovate libraries.	Not included in House bonding proposal (HF3618).
HF3007	Allows school districts to opt out of certain state mandates.	Awaits action in the House Ways and Means Committee.
HF3031*/SF2669	Clarifies the governor's emergency powers governing incidents of bioterrorism in Minnesota.	Awaits action in conference committee.
HF3050	Provides a sales tax exemption for certain devices that assist with quitting smoking.	Awaits action in the House Taxes Committee.
HF3058/SF2739*	Authorizes additional liquor licenses for certain Minnesota cities; exempts hotel room liquor cabinets from on-sale restrictions.	Awaits action by the governor.
HF3067	Provides funding to renovate the Children's Theater.	Not included in House bonding bill (HF3618)
HF3076/SF2612*	Allows funeral home vehicles to have a red flashing light for funeral processions.	Awaits action by the governor.
HF3078/SF2821*/CH286	Clarifies that real estate agents are not liable for disclosing some facts and specifies the state's role in investigating real estate complaints.	Signed by the governor March 26.
HF3079/SF2697*/CH306	Requires homeowners to disclose problems with property they are trying to sell.	Signed by the governor April 1.
HF3086	Requires social security information from child-care providers and recipients.	Awaits action on the House floor.
HF3130	Precludes agencies seeking state grants from engaging in public advocacy of abortion.	Included in HF2515, the second phase of budget reductions for health and human services programs, which passed the House 72-60 on March 14. That bill awaits action in the Senate.
HF3151	Establishes the Department of Workforce and Economic Development and merges functions of the existing Departments of Economic Security and Trade and Economic Development.	The merger of the two existing state departments was delayed until 2003 in HF351*/SF264/CH220, the first phase of budget cuts, which became law Feb. 28.

Bill Number	Description	Status
HF3157	Reduces agriculture and rural development program appropriations.	Included in HF351*/SF264/CH220, the first phase of budget cuts, which became law Feb. 28.
HF3200*/SF3155	Allows licensed dentists in bordering states to receive guest licenses.	Awaits action by the governor.
HF3205/SF2890*/CH299	Prohibits clauses in public works contracts that limit the rights of the contractor to recover costs or damages caused by the contracting public entity.	Signed by the governor March 27.
HF3226	Allows motorcyclists to go through red lights when motorcycles do not trigger traffic signals.	Amended to HF3203, which passed the House 121-8 on March 26 and awaits action on the Senate floor.
HF3234	Requires insurance companies to provide coverage for ovarian cancer screening.	Not included in House health and human services funding measures.
HF3275/SF2932*/CH253	Allows the Minnesota Pollution Control Agency to encourage citizen water-quality monitoring.	Signed by the governor March 22.
HF3286	Higher education-related appropriations reduced.	Included in HF351*/SF264/CH220, the first phase of budget cuts, which became law Feb. 28.
HF3320	Provides for a study of personal rapid transit at the University of Minnesota-Twin Cities campus.	Stalled in the House Transportation Finance Committee.
HF3328/SF3278*/CH305	Requires driver's education courses to include instruction about organ donation.	Signed by the governor March 27.
HF3350	Establishes a program for dentists to donate services to low-income patients.	Awaits action on the House floor.
HF3364*/SF2812	Provides \$750 million in trunk highway bonds for transportation projects through 2007.	Awaits action by a House-Senate conference committee.
HF3379/SF3384*	Modifies Minnesota campaign finance laws to further clarify spending limit requirements.	Passed the House 124-10 on April 4; passed Senate 65-0 on March 26.
HF3393/SF3114*	Grants temporary driver's licenses to people who are behind on child support payments and have lost permanent licenses.	Awaits action by the full House; passed the Senate 52-3 on March 22.
HF3395	Criminal justice and public safety appropriations reduced.	Included in HF351*/SF264/CH220, the first phase of budget cuts, which became law Feb. 28.
HF3411/SF3207*/Res. 7	Resolution urging the pension corporation governing plans for LTV mining employees to delay termination until March 2003.	Signed by the governor Feb. 27.
HF3415	Provides a gas tax increase and proposes a constitutional amendment changing the way tax revenues are allocated.	Not included in the House transportation funding measure, though the Senate plan does propose to increase gas taxes. Those bills await action in a House-Senate conference committee.
HF3434/SF3030*	Prohibits predatory home lending practices.	Awaits action on the House floor; passed the Senate 63-0 on March 26.
HF3453	Provides bonding funds for improvements to the St. Cloud Civic Center.	Some funding included in the House bonding bill (HF3618), awaiting conference committee action.
HF3457	Automatically registers men for selective service when they receive a state driver's license or identification card.	Withdrawn from consideration in the House Governmental Operations and Veterans Affairs Policy Committee Feb. 21.
HF3556	Establishes a state flag task force.	Awaits action on the House floor.
HF3618*	Omnibus bonding appropriations bill.	Awaits action in a House-Senate conference committee.
HF3625/SF2908*	Requires that unsolicited e-mail be labeled as advertisements.	Awaits action by a House-Senate conference committee.
HF3648/SF3431*	Provides unemployment benefits extensions to employees of Farmland Foods Company in Albert Lea and modifies other economic development programs and practices.	Awaits action on the House floor; passed Senate 44-20 on March 27.
HF3690*/SF3444	Excludes certain Minnesota State Colleges and Universities contracts from a moratorium on new state contracts for professional services.	Passed the House 132-0 April 3; awaits action in the Senate.

* - denotes the file submitted to the governor.

Tracking new laws, vetoes

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

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

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

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

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

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

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
Res. 6	2681*	2469	Resolution supporting personnel responding to Sept. 11 terrorist attacks.	1/31	
Res. 7	3411	3207*	Resolution urging delayed termination of LTV pension plan.	2/27	
219	2698	2655*	Extending physical therapy board authority to adopt licensee ethics rules.	2/27	
220	351*	264	Omnibus budget balancing and appropriations bill.		2/25◆
221	97	58*	Changing terminology in statute of references to mentally ill.	2/27	
222	3049	3019*	Predatory offenders registration requirement expansion.	2/28	
223	1297	1471*	Municipal Board authority transferred to Office of Strategic and Long-Range Planning.	3/5	
224	2642*	2760	Mine inspector annual audit requirement modified.	3/7	
225	3116*	2822	Environment and Natural Resources Trust Fund provisions modified.	3/7	
226	2624*	2441	Shakopee Public Utilities Commission increased from three to five members.	3/7	
227	3148*	3025	Speech-language pathologist and audiologist registration requirements modified.	3/7	
228	2992*	2865	Occupational therapist temporary licensure terms modified.	3/7	
229	3062*	2839	Hennepin and Ramsey counties juvenile court judge term limits repealed.	3/7	
230	2748	2573*	Browns Valley school year start before Labor Day.	3/13	
231	2695*	2531	Minneapolis Firefighters Relief Association retirement provisions corrections provided.	3/13	
232	58*	389	Beer kegs identification and sales requirements.	3/13	
233	3190*	3111	Juvenile court data in statewide supervision system.	3/13	
234	2783*	2671	No-fault auto insurance residual liability coverage regulated.	3/14	
235	1189*	1376	Election of municipal council members provided after annexation.	3/14	
236	1620*	2210	Orderly annexation agreements strengthened.	3/14	
237	2987*	2873	Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	3/14	
238	3202*	2801	Delano Public Utilities Commission increased to five members.	3/14	
239	2629*	2913	Retired professional designation for Board of Architecture et al.-licensed retirees.	3/14	
240	3309*	3082	Nursing home licensed bed lay away authorized during moratorium projects.	3/14	
241	2637*	2472	Temporary town officeholders authorized in event of inability or refusal to serve.	3/14	
242	3344*	2892	Second Judicial District combined jurisdiction program authorized.	3/14	
243	3296*	3206	State employee Social Security administrative duties transfer.	3/14	

◆ - veto overridden by the Legislature

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

CH	HF	SF	Description	Signed	Vetoed
244	1547	1495*	Omnibus agriculture policy provisions modifications.	3/15†	
245	2612*	2562	Licensed architect, et al. requirement circumstances revised.	3/15	
246	2899*	2711	Livable community demonstration account provisions modified.	3/21	
247	3584*	3302	Judgment calculation interest rate formulas modified.	3/21	
248	2813*	2803	Child care providers required to develop policies for reporting suspected child maltreatment.	3/21	
249	2766*	2475	Motor vehicle fuel franchise sale federal code compliance expiration date removed.	3/21	
250	3189*	3135	Street-sweeping vehicles defined as special mobile equipment for registration purposes.	3/21	
251	2742*	2757	State agency contested case procedures regulation provided.	3/21	
252	2531*	2381	Hospice care providers regulated, and criminal penalties imposed.	3/22	
253	3275	2932*	Citizen water quality monitoring encouraged.	3/22	
254	3133	2971*	State procurement competitive bidding for building and construction contract references codified.	3/22	
255	1097	1072*	"Grace" state photograph designation.	3/22	
256	3074	2834*	Steele County recorder appointment.	3/22	
257	3512	3258*	Garfield state land exchange.	3/22	
258	2652	2434*	Polk County recorder and auditor-treasurer appointment.	3/22	
259	2603	2627*	Optometrists and physicians contact lenses prescriptions regulated.	3/22	
260	3238	3115*	State energy efficiency installment purchases regulation provisions modified.	3/22	
261	3462	3080*	Funeral trust account provisions modified.	3/22	
262	3348	3136*	Workers' compensation provisions modified.	3/22	
263	2753	2590*	Carlton County recorder appointment authorized.	3/22	
264	2796*	2670	Minneapolis asphalt plant construction authority.	3/22	
265	2792*	2575	Appliance recycling required.	3/22	
266	3373	3045*	Fourth Judicial District domestic fatality review team pilot project extension.	3/25	
267	3362	3109*	Municipal police departments black patrol vehicles.	3/25	
268	2662	2611*	Interstate compact for adult offender supervision.	3/25	
269	1934	1030*	National crime prevention and privacy compact.	3/25	
270	94	222*	Game and fish laws gross overlimit violations penalties.	3/25	
271	2873	2578*	County human services and public health clients support programs.	3/25	
272	2993	2463*	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	3/25	
273	3263	3167*	Sex offenders civil commitment determinations data access authority.	3/25	
274	1413	1226*	No-fault automobile insurance full medical expense benefits entitlement.	3/25	
275	3276	3100*	Medical assistance reimbursement for tribal health services.	3/25	
276	3291	3124*	Nursing and board care homes resident reimbursement classifications provisions modification.	3/25	
277	3245	3126*	Health care and human services programs provisions technical modifications.	3/25	
278	3061	3117*	Metropolitan Council interceptor facilities continued use determination.	3/25	
279	2600	2419*	Child care programs wading pools public swimming pools regulations exemption.	3/25	
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27
281	2678	2768*	Medical assistance demonstration project provisions modified.	3/26	
282	3579	3073*	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	3/26	
283	2570*	2553	Automobile insurance damaged window glass claims payment basis modified.		3/26◆
285	2882*	3122	Electric personal assistive mobility device and roadway and sidewalk regulations.	3/26	
286	3078	2821*	Real estate brokers and salespersons regulatory provisions modifications.	3/26	
287	2664	2459*	Supplemental nursing services agencies registration criteria expansion.	3/26	
288	1885	2115*	Motor vehicle dealers surety bond requirements clarification.	3/26	
289	3091	2764*	Mentally retarded persons incidents and emergencies reporting standards modification.	3/26	
290	2932	2614*	Foster care placement communicable diseases disclosure requirement.	3/26	
291	3080	3055*	Metropolitan transit police provisions modifications.	3/26	
292	2757	2692*	Human services licensure.	3/26	
293	2889	2933*	Individual sewage treatment systems installation.	3/26	
294	2635	2550*	Special education services costs reimbursement.	3/26	
295	3222	2953*	Fire insurance excess coverage prohibitions.	3/26	
296	2933	2546*	Rockville and Pleasant Lake consolidation plan joint development required.	3/26	
297	2884*	2715	Motor vehicle excessive gross weight civil fine imposition modified.	3/26	
298	3196*	2966	State procurement law ethical provisions clarified.	3/26	
299	3205	2890*	Public works contracts regulated.	3/27	
300	3223	2793*	Out-of-state facilities for children with severe emotional disturbance certification plan required.	3/27	

◆ - veto overridden by the Legislature

† - Filed without signature

CH	HF	SF	Description	Signed	Vetoed
301	2842	3244*	Evidentiary laboratory blood sample reports electronic signatures.	3/27	
302	3224	3034*	Hennepin County Medical Center cooperative purchasing authority.	3/27	
303	3240	2814*	Electronic voting authorized for cooperatives.	3/27	
304	2596	2673*	Child custody provided for by de facto custodians and third parties.	3/27	
305	3328	3278*	Driver's education organ and tissue donation instructions.	3/27	
306	3079	2697*	Real estate transactions disclosure requirements.	4/1	
307	3492	3315*	Insurance provisions modification; medical malpractice insurance joint underwriting assoc. issuance prohibition.	4/1	
308	3221	3145*	Military justice code revisions.	4/1	
309	3506	3084*	State and local government units auditing and reporting requirements modifications.		4/1
310	1224*	887	Medical response unit registration provided.	4/1	
311	2785	2542*	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	4/1	
312	3519	2675*	State agencies required to use biodiesel and clean fuels; recyclable material container requirements modified.	4/4	
313	2647	2569*	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	4/4	
314	2840	2580*	Criminal prosecution estoppel provisions modified.	4/4	

BILL INTRODUCTIONS

APRIL 2 - 3, 2002

HOUSE FILES 3708 - 3712

Tuesday, April 2

HF3708—Davids (R)

Environment & Natural Resources Policy

Water appropriation permit requirements modified to include an exemption for feedlots.

HF3709—Huntley (DFL)

Commerce, Jobs &

Economic Development Policy

Minnesota Comprehensive Health Association enrollment closure required, and alternative coverage proposal provided.

Wednesday, April 3

HF3710—Otremba (DFL)

Taxes

Local child out-of-home placements costs special levy authorized.

HF3711—Otremba (DFL)

Taxes

Biosolids waste treatment equipment sales tax exemption extended.

HF3712—McGuire (DFL)

Commerce, Jobs &

Economic Development Policy

National affordable housing trust fund creation supported by resolution to Congress.

COMMITTEE SCHEDULE

APRIL 8 - 12, 2002

Schedule is subject to change.

For information updates, call House Calls at (651) 296-9283.

All meetings are open to the public.

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House committee schedules are also available on the Web site at <http://www.house.mn/info/schedule/index.htm>.

MONDAY, April 8

1 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, April 9 - FRIDAY, April 12

No meetings have been announced.

Continued from page 4

budget bill, would provide that if the Legislature does not reject the contracts before adjourning they are automatically approved. The Senate passed another bill (HF3575/SF3208*) containing that provision alone.

The House state government finance bill does not contain language dealing with the state workers contract. Rather, the body passed a bill (HF3575/SF3208*) that would remove same-sex domestic partner benefits from all the negotiated agreements. Contracts that did not contain the clause and provisions of negotiated compensation plans without the benefit would be approved under the measure.

Stadiums

Both bodies passed stadium bills that would provide financing for a new Minnesota Twins ballpark. The House bill incorporates a plan put forth by the Ventura administration that would take advantage of the difference in interest rates between state-issued revenue bonds and a gift fund established through a contribution from the team and other private sources.

The Senate bill authorizes a variety of taxes and fees including a tax on sports memorabilia, media access fees, and revenues from naming rights to pay for the state's portion.



Continued from page 10


apply pressure to the Minnesota congressional delegation to support a federal solution to the problem.

According to the NCSL report, 14 states besides Minnesota are considering passing prescription drug discount programs for Medicare enrollees based on Medicaid pharmaceutical rates.

California is the first state to pass a law establishing a program. The governor signed the legislation in October 2001.

It's a voluntary program that allows pharmacies to charge discounted prices for prescription drugs based on Medicaid rates. The pharmacies, in turn, will be eligible for state reimbursement based on rebates from drug manufacturers.

On the federal level, President Bush has proposed spending \$190 billion to improve the Medicare system, setting aside \$77 million for a 10-year prescription drug program for Americans earning less than \$13,000 a year. The plan would cover an estimated 3 million people.

Meanwhile, congressional leaders in both the Republican-controlled House and Democratic-controlled Senate have called for more sweeping drug coverage this year that would be available to all of the 40 million Medicare beneficiaries. 

Reflections



From the time a legislative session convenes until legislators adjourn *sine die*, the entire process may be compared to the concept, development, and production of a well-constructed dance performance.

While these entities seem to be as far removed as ice fishing and space travel, the elements of enacting legislation and of creating a timeless, artistic piece are similar in theory.

While legislative enactment and dance creations do not all follow the same rule of thumb, those that are well thought out and meticulously developed last for a very long time.

Both entities are given life through the passion and involved human spirit of their originators. Their work then develops to a completion that likely will provide an ongoing, positive impact on the lives of many people.

Take transportation, for example. The state's trunk highway system, along with other modes of travel in Minnesota, was written into the constitution by experienced visionaries. Each year the system receives ongoing renovation from the Legislature as bills are introduced to provide for new construction, ongoing maintenance, and other improvements — all in an effort to better the overall product.

Likewise, unique dance works embody very similar processes.

As in a well thought out piece of legislation, the production of "Revelations" by the Alvin Ailey American Dance Theater builds on an original idea by incorporating construction, structure, and design for experienced performers to facilitate.

"Revelations" is comprised of three major parts that are shaped and put together

as a complete and extraordinary artistic piece set to Gospel and blues.

A recognized dancer and choreographer who died in 1989, Ailey created the piece from experiences in his childhood. He premiered "Revelations" for his dance company in 1960. Through his talent and ingenuity, "Revelations" is considered to be one of the best works created by an American performing arts organization.

Like Minnesota's transportation system, the work has endured in a manner similar to the life span of a well-planned and executed bill in the Legislature.

While no innovations have been added to "Revelations" for 42 years, it continues to be the dance company's signature piece. For 12 years, former premier dancer, and now artistic director, Judith Jamison continues to improve on its details to exemplify the work and the overall strengths and experience of its troupe of performers.

When the troupe performs in the Twin Cities every three or four years, those who know the company's reputation and new fans flock to see what critic Arthur Todd called, "one of the most beautifully constructed and moving works in the repertoire of any company."

While hundreds of bills are introduced by the Legislature during a session, not all of them captivate the public.

In a similar manner, many performing arts productions are created annually. However, only a few like "Revelations" make and maintain a lasting and unforgettable impression.

—LECLAIR GRIER LAMBERT

"Revelations" — Courtesy, Jack Mitchell Photographs and Alvin Ailey American Dance Theater

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

MINNESOTA INDEX

Minnesota teachers

Number of licensed teachers employed by school districts or in charter schools during 2000-01 school year	57,509
Percent of those with at least a master's degree	41
Percent with at least a bachelor's degree	57
Number of first-year teachers	2,819
In 1999-00	3,506
In 1997-98	3,410
Average age of a full-time teacher in 2000-01	41.3
In 1997-98	42.1
Salary, on average, of a full-time Minnesota teacher in 2000-01	\$42,794
National average	\$42,898
State average in 1997-98	\$38,620
State average in 1989-90	\$32,190
Years of experience for all Minnesota teachers in 2000-01, as an average	13.7
In 1997-98	14.9
Approximate number of teacher licenses held in Minnesota in 1999	96,000
Approximate number of full-time equivalent positions in public schools ...	55,000
Percentage of districts that hire teachers under temporary licenses as a recruitment or retention strategy	71
Percentage of districts involving teachers in decision making	69
Percentage improving staff development	63
Subject area with the largest share of teacher workforce (elementary education), as percent	30
Second (special education), as percent	14
Third (English/language arts), as percent	8
Number of teaching license variances issued by the state	
Board of Teaching in 2000-01 so districts can use teachers in assignment areas they are not licensed for or to hire non-licensed community experts as teachers	2,552
In 1997-98	485
Approximate percent of 2000-01 teacher workforce that have a variance	5
Minnesota teachers beginning their career in 1995-96 that were teaching	
5 years later, as percent	80
National retention rate, as percent	82
Percentage of state's current teacher workforce expected to retire between 1998 and 2008, as approximate	33
Percentage of state's chemistry teachers	60
Percentage of math teachers	46

Sources: *Teacher Recruitment and Retention: Summary of Major Studies*, Minnesota Office of the Legislative Auditor, March 2002; Minnesota Department of Children, Families and Learning; American Federation of Teachers; National Center for Education Statistics; University of Minnesota Center for School Change.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

APRIL 12, 2002
VOLUME 19, NUMBER 11

In this issue:

TOBACCO ENDOWMENT FUNDS

DIGITAL TV OVERRIDE, NEW LAWS, AND MORE

HF3713-HF3714

Session Weekly

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

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On the cover: A sure sign of spring are the tulips that grace the desk of Rep. Mary Murphy in the House Chamber.

—Photo by Tom Olmscheid

Targeted spending

House, Senate plans differ on using tobacco endowment monies to help solve state budget deficit

By SARAH MCKENZIE

Conferencees questioned the effectiveness of statewide smoking prevention campaigns April 5, in light of a House plan to drain \$325 million from the state's tobacco endowment in order to reduce the remaining projected budget deficit for the biennium.

High on the list for scrutiny — Target Market, the aggressive youth-led campaign to curb smoking among Minnesota teens, that receives a small, though visible, portion of the endowment funds.

Legislators have not yet been able to reconcile differences in the House and Senate budget

literature, health officials emphasized the importance of statewide prevention efforts as a way to reduce costs down the road.

During discussion of proposed health and human services spending cuts at the conference committee meeting, Rep. Kevin Goodno (R-Moorhead), a conference committee co-chair, distributed song lyrics reportedly performed by a Chicago punk band at a Target Market event in October 2001.

The Alkaline Trio lyrics, "I need a beer to wash it all away without a trace/And then I'll drink 23 more to wipe this stupid smile off my (expletive) face," prompted Goodno to ask whether

Target Market has enough state oversight.

"We're sending inconsistent messages if we tell kids 'don't smoke' but the band that's hired tells them it's OK to drink 23 beers," Goodno said.

Health Commissioner Jan Malcolm, testifying before the committee, said she was troubled by the lyrics but defended the program, pointing to studies showing a 25 percent drop in teen smoking rates in the past two years.

She said Target Market needs to strike a balance

between keeping teens engaged and maintaining adequate adult supervision of youth events.

Alana Petersen, executive director of Target Market, said she understands why the lyrics raised concerns but questioned cutting the group's funding based on them.

"In the future, we will certainly do further research on the bands that play at our events," Petersen said. "I hope this incident does not detract from the fact that this program is working to reduce youth smoking."

Conference committee co-chair Sen. Doug Johnson (DFL-Tower) said he suspected that the song was not representative of Target Market's overall work to combat teen smoking.

Conference committees meet, House members discuss progress

Legislative leadership and House and Senate conferencees have not yet reached agreement on the major issues to be resolved before the Legislature adjourns this spring. Those issues include the following:

- Final budget balancing legislation — A deficit of \$440 million is still projected at the end of the 2002-03 biennium, despite a nearly \$2 billion fix already enacted in law;
- Construction and transportation bonding;
- Anti-terrorism and response to bioterrorism threats;
- Stadium plans; and
- State-employee contracts.

Conference committees continue to meet to review differences in the House and Senate versions of bills. In fact, many of those committees are taking public testimony, which is a bit of a departure from the traditional negotiation process, though conference committees are open to the public and are allowed to take testimony.

Members of the House of Representatives discussed the situation on the House floor April 9 and expressed concern regarding when differences will be resolved.

Rep. Len Biernat (DFL-Mpls) said schedules made it appear as if their work was slowing down. He asked House Majority Leader Tim Pawlenty (R-Eagan) if the House could adjourn by April 12. He also suggested the House should recess until negotiated budget targets were established.

"Why are we meeting here if we don't have any targets?" Biernat said. "We seem to be spinning our wheels here and it's beginning to be very, very frustrating."

Pawlenty answered that he didn't know when the House would adjourn. He noted that negotiations with Senate Majority Leader Roger Moe (DFL-Erskine) have slowed because Moe said he wasn't ready to negotiate specific spending targets, but would prefer to let both sides air out differences.

"Your points that you raise are exactly the points that the speaker and I made to Sen. Moe last week," Pawlenty said. "Please know that we have been aggressively sharing your concerns with the Senate."

The Legislature has used 98 legislative days as of April 11. The Minnesota Constitution allows for 120 legislative days in a biennium. A legislative day is counted any time the House or the Senate meets in session in either chamber.

In addition, the constitution requires that the Legislature adjourn by the first Monday after the third Saturday in May, which is May 20 this year.

(M. KIBIGER)



PHOTO BY TOM OLMSCHIED

Target Market participants from around the state rally in the Capitol Rotunda March 25. The group may lose some of its funding as legislators decide how to alleviate the state's budget deficit.

plans, though both bodies have appointed conference committees to negotiate a compromise.

The House plan to plug the remaining \$439 million budget shortfall mainly on the endowment, which would cover about 75 percent of the projected deficit. In addition, the House plan proposes further spending cuts for the biennium, largely in the areas of health and human services.

The Senate plan would keep the tobacco endowment intact and instead raise revenues to erase the remaining deficit, including a 60-cent cigarette tax hike.

While legislators pointed to examples of Target Market-sponsored events and



Arbor Day assets

Publications focus on promoting the value and proper planting of woodlands to Minnesotans

Target Market is funded by statewide grants drawn from interest generated by the tobacco endowment, which was created in 1999 after the state secured a \$6.1 billion legal settlement with the tobacco industry. Money set aside for the endowment totaled \$521 million — roughly 9 percent of the settlement.

Under the House “phase two” budget plan, statewide youth anti-smoking grants would be reduced from \$17.8 million a year to \$2.3 million.

The cuts were included in a supplemental health and human services budget bill (HF2515), sponsored by Goodno. The House passed the bill 72-60 on March 14. The Senate referred the measure to its finance committee, but it included the elements of its budget reconciling proposal into one large bill.

Grants for local anti-smoking programs, however, would be maintained at the \$4.4 million level under HF2515.

Malcolm said the statewide programs bolster the local efforts, arguing the overall program is on track to save millions in the future from averted tobacco-related health problems.

However, some legislators have argued the statewide grants duplicate other Minnesota anti-smoking efforts.

The Minnesota Partnership for Action Against Tobacco and Blue Cross and Blue Shield of Minnesota have also received funds from the endowment. The partnership has a court-ordered mission of focusing on urging current smokers to quit while Blue Cross and Blue Shield’s focus is on reducing risks associated with a wide variety of chronic diseases.

Rep. Alice Seagren (R-Bloomington), a House conferee, also asked how much Target Market spends on advertising.

Malcolm responded that the group spends about \$6.5 million annually on its advertising campaign. Professional advertisers work with Target Market teens to develop anti-smoking marketing strategies, she said.

Rep. Philip Krinkie (R-Shoreview), a House conferee, pressed Malcolm for more specific information related to the rate of return on Minnesota tax dollars funding the teen anti-smoking campaign.

He called for a cost-benefit analysis to compare the amount the state spends versus the amount of money saved by the programs.

Malcolm said the department has used software based on Centers for Disease Control data to project a future savings of \$480 million annually from achieving a 30 percent reduction in teen smoking in Minnesota.

The health commissioner also pointed to studies based on anti-smoking campaigns in other states indicating for every \$1 spent on prevention, \$3.63 is saved on medical costs.



It has been said that while other holidays look backward to some historical event, Arbor Day alone looks forward, according to a Nebraska historian.

The custom of setting aside a special day to honor and plant trees was first established in that Great Plains state in 1872.

The idea took root across the country and Minnesota adopted the tradition in 1876 after the Legislature approved \$2,500 for the state forestry association to encourage participation by offering \$25 to \$50 premiums to the most fruitful tree-planters in each county.

In 1957, the Legislature officially recognized the first Friday in May as Arbor Day, and under the law public schools were authorized to devote half of the school day to “illustrating the future value to the state of cultivating, planting, and developing the trees and forest resources.”

The law was repealed in 1959 as part of a general overhaul of the state’s education laws.

Interest in Arbor Day activities rose again in the 1970s as the movement gained momentum and many of the state’s trees were plagued by Dutch elm and oak wilt diseases.

A 1990 report to the Legislature titled “Minnesota’s Community and Urban Forests: Opportunities and Recommendations” from the Minnesota Shade Tree Advisory Committee advised lawmakers of the contributions of woodlands to the quality of life in the state.

“In the past, trees were considered primarily for their beauty or amenity value,” the committee explained. “It is now known that trees have key roles in a community’s economic and neighborhood vitality, as well as its livability and desirability.”

Properly planted trees provide wildlife habitats, control soil erosion, reduce noise pollution, increase property values, save energy, and cut carbon dioxide emissions, the report said.

The report also emphasized the importance of public education and technical assistance in the care and proper planting techniques of climate-appropriate trees.

Subsequently, the 1990 Legislature passed

a community and urban forestry law requiring several state agencies to further research and provide information on suitable tree varieties.

Under the law, the departments of Agriculture, Natural Resources, and Children, Families and Learning were encouraged to expand forestry programs in the schools and reinstitute Arbor Day activities.

And the legislation urged the Transportation Department to consider planting trees in conjunction with solid noise walls along urban freeways.

The following year, lawmakers approved the creation of the Minnesota Releaf Program

as part of a national effort to promote and fund the planting and maintenance of trees to reduce atmospheric carbon dioxide levels and promote energy conservation.

Today, National Arbor Day is recognized annually on the last Friday in April.

Minnesota’s observance extends into Arbor Month, celebrated each year in May to coincide with the optimum planting season.

Homeowners who embrace the notion of Arbor Day could feel it in their pocketbooks with a reduction in heating and cooling costs.

A recent energy conservation tip from the Department of Commerce suggests that properly placed canopy trees could reduce air conditioning costs by up to 25 percent.

The energy guide recommends that homeowners plant trees to shade west and east windows and create windbreaks by planting evergreens on the north and west sides of the property. Air conditioners should be shaded, but leave room for the air flow.

“For greatest benefit, the tree should have a broad crown of dense foliage during the hottest times of the year and drop its leaves just as the furnace kicks in as fall approaches,” the department advises. “Planting one or more trees this April would be a great way to celebrate both Earth Day and Arbor Day and the benefits will last for years to come.”

(N. Wood)



Photo courtesy of the Minnesota Historical Society

The Minnesota Valley Women’s Club and high school students planting trees on Arbor Day in 1957 in Richfield, Minn.

BANKING

Money transmitter licensing

Signed
by
the
governor

A new law will reduce financial requirements for licensing small-business money transmitters. Gov. Jesse Ventura signed the legislation April 8.

A 2001 law requiring money transmitters, such as Western Union, to be licensed established requirements that were difficult for some smaller establishments to meet. All money transmitters were held to a \$100,000 net worth requirement, though many of the smaller businesses did not reach that mark.

Under the new law, the net worth requirement for licensure is a minimum of \$25,000 for money transmitters with three or fewer locations in Minnesota.

Money transmitters with four to six locations are required to have \$50,000 net worth, and for those with seven or more locations, requirements are a net worth of \$100,000 and an additional net worth of \$50,000 for each location above seven, up to a \$500,000 maximum.

The new law also adjusts legal requirements that the businesses carry surety bonds for a certain percentage of their net worth.

The \$50,000 current bond requirement is dropped to \$25,000 for money transmitters with three or fewer locations. The amount would not change for money transmitters with four or more locations and would be capped at \$250,000.

The new law is effective April 9, 2002.

The House passed the measure by a 129-0 vote April 3, and the Senate passed it 62-0 April 2.

Rep. Dan McElroy (R-Burnsville) and Sen. Steve Kelley (DFL-Hopkins) sponsored the legislation.

HF3464/SF3174*/CH326

Credit union legislation

Laws governing state credit unions would be more in line with those regulating their federal counterparts, under a bill awaiting the governor's signature.

But the legislation is not as far as state credit unions had hoped.

Provisions in the bill (HF2751/SF2650*) that had bank representatives worried were softened by a successful amendment offered by the bill's House sponsor, Rep. Doug Stang (R-Cold Spring). Stang said there is no longer opposition to the bill.

"The bill still accomplishes the main objective of conformity between federal and state credit unions," Stang said.

During committee hearings, bank representatives said the bill would give credit unions an advantage over banks. However, credit union spokespeople said banks dominate the market and the bill is not a threat to the banking industry.

State-chartered credit unions have slowly been converting to federally chartered credit unions, which has resulted in a loss of state tax revenue. Stang said he believes the bill, should it become law, will be enough incentive to keep state-chartered credit unions from converting.

The bill would allow state-chartered credit unions to assess "reasonable charges" for its member services, and to impose late charges for, as an example, a missed loan payment.

An expansion of power originally written into the bill is now gone. The bill had included provisions that would have allowed more types of insurance to be sold, and therefore more commissions to be earned. It also would have permitted more authority for acquiring property and for entering into lease agreements with members.

The bill would lower the number of people in a group that can join an existing credit union. This is a disadvantage to credit unions, which would rather expand existing locations than add new ones.

The bill passed in the House April 4 on a 109-22 vote. The Senate concurred with the House changes April 9 on a 52-0 vote. The Senate sponsor is Sen. Don Samuelson (DFL-Brainerd).

BUSINESS

Liquor licenses, 1 a.m. exemption

Signed
by
the
governor

Six cities in the state have the authority to issue additional liquor licenses, under a new law signed by Gov. Jesse Ventura April 5.

Sponsored by Rep. Doug Stang (R-Cold Spring) and Sen. James Metzen (DFL-South St. Paul), the law gives the cities of Albert Lea, Brainerd, Coon Rapids, Eden Prairie, Proctor, and West St. Paul the authority to issue additional liquor licenses.

Generally state law limits the number of intoxicating liquor licenses that a city may issue. For example, cities with more than

100,000 residents are allowed to issue one license up to a maximum of 200 for every 1,500 people. Cities with a population between 20,000 and 99,999 are allowed to issue up to 18 licenses, plus one for every 2,500 population greater than 45,000.

Hotels possessing on-sale intoxicating liquor licenses that have hotel rooms with cabinets, which dispense liquor for a fee, are exempt from the state's 1 a.m. bar closing time on those sales, under the law.

The new law is effective April 6, 2002.

HF3058/SF2739*/CH218

CRIME

Pay to stay behind bars

Signed
by
the
governor

Gov. Jesse Ventura signed a new law April 8 that will allow counties to charge inmates for room and board.

Sponsored by Rep. Maxine Penas (R-Badger) and Sen. Leo Foley (DFL-Coon Rapids), the law will allow counties to collect fees from inmates only if the person has the ability to pay.

Beginning Aug. 1, 2002, county boards will be able to charge inmates for room, board, and clothing, as well as necessary medical, dental, or other correctional services. The law will give counties civil means to collect the money.

Keith Carlson, representing the Metropolitan Inter-County Association, told the House Crime Prevention Committee Feb. 26 that counties are frustrated because offenders often are arrested while carrying thousands of dollars in cash.

Currently, that money is returned to them when they leave, and county taxpayers are left to pick up the tab.

The law will allow county boards to waive the fees if the person doesn't have the means to pay, if payment is unlikely, or if it would unduly harm the person's family.

It will also require offenders to pay other obligations, such as fines and child support payments, before money would be taken for the jail expenses.

The House passed the measure 108-22 April 2, and the Senate approved it 64-0 March 8.

HF2841/SF2533*/CH322

Escape, endangerment provisions

Signed
by
the
governor
★ ★ ★

A convict who tampers with electronic monitoring devices will be subject to escape penalties, under a new law signed by Gov. Jesse Ventura April 4.

Effective Aug. 1, 2002, the new law states that people who are sentenced to electronic monitoring as a condition of their sentence, parole, or probation, will be considered escapees and subject to the same penalties if they tamper with the monitoring devices.

The new law is a culmination of several adjustments to criminal statutes.

In addition, the new law clarifies that a person is guilty of child endangerment if he or she is selling, manufacturing, or possesses the materials to manufacture controlled substances in the home environment. Such a situation, depending on the circumstances and effect on the child, may warrant a felony penalty of up to five years in prison and a \$10,000 fine, under the new law.

Previous law considered possession and use in the presence of a child to be endangerment.

The new law also provides that in juvenile proceedings where the sole purpose is a petition for habitual truancy children, parents, guardians, or custodians do not have the right to a public defender. However, if out-of-home placement is ultimately required, the court may appoint legal counsel at public expense, under the law. That section is effective July 1, 2002.

Finally, the new law expands juvenile court jurisdiction over offenders who committed a qualifying act or were charged by juvenile petition prior to their 21st birthday, but did not have their cases fully resolved before turning 21. Those cases would be settled in the juvenile system, along with those who either failed to attend a court hearing or somehow absconded from placement.

Rep. James Clark (R-New Ulm) and Sen. Leo Foley (DFL-Coon Rapids) sponsored the law. It passed the House 131-2 on March 26 and 63-0 in the Senate on March 27.

HF2840/SF2580*/CH314

ELECTIONS

Financing changes

The House passed a bill 124-10 on April 4 that would make changes to the state's campaign finance laws.

Rep. Jim Rhodes (R-St. Louis Park), the House sponsor, said the bill (HF3379/SF3384*) was brought forward by the state Campaign Finance and Public Disclosure

Board as a way to address issues with the laws administered by the board.

The bill would change criminal penalties for violations now prescribed by campaign finance law to civil penalties of up to \$1,000.

Further, it would make it illegal for political committees and funds to donate money to a candidate at amounts greater than the amount legally allowed. The law now only bans the candidate from accepting such contributions.

The bill would also allow a political candidate, who has agreed with his or her opponent to prescribed spending limits, to be released from the limits if the opponent does not adhere to them.

Questioning the need for the bill, Rep. Philip Krinkie (R-Shoreview) said he asked the board why estimates show no fiscal impact of a bill that contains fines. He said he was told that the board does not expect to collect any money from the fines.

"This is a classic example of a dog chasing its tail around the barn," Krinkie said.

Rep. Paul Marquart (DFL-Dilworth) said what is not in the bill is as notable as what is. He said the bill does not address the escalating costs of campaigns, even local ones, caused in particular by independent expenditures from political parties.

Rhodes said the bill was not meant to be a campaign finance reform bill similar to the one recently passed by the federal government. Instead it is a housekeeping effort brought forward by the state board to better administer the campaign finance program.

The Senate bill sponsored by Sen. John Hottinger (DFL-Mankato) passed 65-0 March 26, but the Senate did not concur with a House amendment added to the bill. The differences between the House and Senate versions will be negotiated in a conference committee.

ENVIRONMENT

Friendlier fuels

A state agency will be directed to buy cleaner-burning fuels for its fleet under a new law.

Fuels that meet the state's standard will include a 20 percent biodiesel blend, compressed natural gas, hydrogen, liquefied natural gas or petroleum gas, and a 70 percent ethanol blend.

Gov. Jesse Ventura signed the measure into law on April 4. The House passed the bill 128-1 on March 26 and the Senate concurred 62-0 the next day. The measure takes effect Aug. 1, 2002.

Under the law, a state agency will be

required to buy the cleaner fuel if it is "reasonably available at similar costs" to other fuels and if the blend is compatible with the vehicle's motor.

It also directs state agencies, when replacing vehicles, to purchase new cars capable of running on the cleaner-burning fuels for the fleet if they are available and comparable in price to other vehicles.

The requirement comes after the governor let a bill become law March 15 requiring all diesel fuel sold in the state contain 2 percent biodiesel as of March 2005. The requirement will become effective earlier than 2005 if the state's production capacity reaches a certain level and a state or federal tax credit for production is passed.

The law also requires public entities — including all government, court, and school buildings — to have recycling containers.

Rep. Dennis Ozment (R-Rosemount) and Sen. Jane Krentz (DFL-May Township) were the sponsors.

HF3519/SF2675*/CH312

GAMBLING

Bigger gaming pots

The cry of "bingo" might reverberate over a greater distance, under a bill passed 92-39 by the House April 9.

A provision in an omnibus gambling policy bill (HF3073), sponsored by Rep. Mike Osskopp (R-Lake City) and Sen. Jim Vickerman (DFL-Tracy), would allow linked bingo games in the state.

Osskopp said that currently an American Legion post, a VFW, and an Elks Club might be holding separate bingo nights each with a \$500 prize pool. The bill would allow those establishments to link themselves via satellite or other technology so the multiple sites could combine their pools into a \$1,500 pot.

Electronic bingo devices would also be allowed under the bill. Osskopp said those devices allow players to play multiple cards at the same time. The player punches the bingo caller's selection into a device that determines what cards contain the number-letter combination.

The bill would also allow veterans organizations more flexibility in spending net profits from lawful gambling.

Current law lists a number of purposes for which organizations such as VFW or American Legion posts may use lawful gambling profits including paying taxes, contributing to a community arts organization, or helping a person or family suffering from poverty or homelessness.

The bill would add the paying of utility bills

for a building owned or leased by and used as the primary headquarters of a veterans organization to the list.

Organizations would also be allowed to pay up to \$5,000 per year in net costs for meals and other membership events, limited to members and spouses under the measure.

Rep. Bruce Anderson (R-Buffalo Township) offered an unsuccessful amendment that would have raised the legal gambling age from 18 to 21 on pull tabs, tipboard, paddle wheel and raffle tickets, and bingo games not exempt or excluded from licensing.

He pointed out a similar amendment was approved during the House debate on stadium funding and that more families are having to address problem gambling by youth.

Rep. Doug Stang (R-Cold Spring) offered an unsuccessful amendment to Anderson's amendment making 60 the maximum age for those betting games in the state. Stang said that in addition to more problem youth gambling in the state, the number of problem gamblers among retired people is also increasing.

Osskopp opposed the amendment saying it would prohibit some forms of gambling but still allow people under age 21 to go to a casino.

A companion bill in the Senate awaits committee action.

★ GAME & FISH

Restricting duck decoys

Senate conferees made a case April 10 for provisions in that body's game and fish bill not contained in the House version, including a ban on motorized duck decoys.

Testifying before the conference committee on the bill (HF2920/SF2674*), Sen. Doug Johnson (DFL-Tower) argued that the duck decoys give hunters an unfair advantage.

"Electronic duck decoys are very effective," Johnson said, who added as an avid outdoorsman he's typically averse to imposing restrictions on hunters. "They go against fair chase. This is a reasonable restriction."

Rep. Dennis Ozment (R-Rosemount), the House sponsor, said he favored allowing the Department of Natural Resources to continue regulating duck hunting by imposing limits on harvesting instead of banning technology.

The DNR has planned to study the use of the decoys.

The committee deferred a vote on the issue until a meeting scheduled for April 11, after this edition of *Session Weekly* went to press. Conferees were expected to iron out the remaining differences between the House and Senate positions on the bill at that meeting.



Ed Boggess, resource manager of the Department of Natural Resources wildlife division, testifies during a discussion of the omnibus game and fish bill at the April 10 House-Senate conference committee meeting to resolve differences in the bill.

The House passed the bill 103-28 on April 2 after it cleared the Senate by a 56-4 vote on March 22. The Senate, however, refused to agree to House changes, which prompted the conference committee.

Other issues to be discussed include a provision in the Senate-passed version of the bill that would restrict all-terrain vehicles to roads and designated trails in state forests. Currently ATV users are permitted to ride off of the trails.

Senate language also calls for an environmental review of proposed off-road vehicle trails unless the DNR commissioner concludes the paths wouldn't have a significant effect on the environment.

At the April 10 meeting, conferees also considered a Senate proposal to ban recreational shining in motor vehicles — an activity where people use car headlights to spot deer.

Sen. Kenric Scheevel (R-Preston), who originally sponsored the measure, said the practice has created safety hazards on the roads and irritated some landowners when headlights are flashed on their property.

The Minnesota Deer Hunters Association testified in opposition to the recreational shining ban. Tom Keliher, who represents the association, said stepped-up enforcement of the state's trespassing laws would better address the problem.

Committee members also considered a Senate measure that would require all snowmobiles sold in the state to be installed with emergency hazard lights.

Representatives of snowmobile manufacturers objected to the requirement, arguing that there is limited demand for the safety features.

★ GOVERNMENT

Public TV upgrade

A bill that would provide \$7.8 million to public television stations to assist them with a conversion from analog to digital signals is now law.

**Vetoed
by
the
governor
★ ★ ★**

By a 113-20 vote April 8, the House voted to override Gov. Jesse Ventura's veto. The Senate did the same 53-5 one day later.

The override was the ninth time during the Ventura administration that a veto has been overridden.

The law also provides \$7.8 million in bonds to the Metropolitan Council for design and construction of bus garages.

A mandate from the Federal Communications Commission requires that all public television stations convert to a digital signal by May 2003.

Beginning in 2003, stations will still be able to broadcast with an analog signal provided they have a digital signal, as well. Once 85 percent of the homes in the station's market are capable of receiving a digital signal, the station will be required to stop using its analog transmissions.

In making the motion to override the veto, Rep. Dave Bishop (R-Rochester), the House sponsor, said that without the preliminary funding 10 public television stations in the state would "go dark by May 1, 2003."

"Public television benefits to the state of Minnesota are incredible," Bishop said.

Rep. Matt Entenza (DFL-St. Paul) agreed,

saying that Ventura doesn't understand the strong support public television has from people throughout the state.

"Gov. Ventura is out of touch and it's time for the Legislature to take the lead and make sure the public gets the service it demands," he said.

The initial \$7.8 million appropriation was contained in the state government finance law passed during the 2001 special session and signed by Ventura. The law required the Department of Administration and the Minnesota Public Television Association to negotiate an agreement specifying state and local benefit for the digital capability before the money would be distributed in the form of grants to local public television stations. However, the governor advised the commissioner of administration not to sign the agreement so the grants were never disbursed.

In his veto message, Ventura wrote that the bill doesn't provide an adequate level of direct benefit for the state given the investment being made. He said the bill "adds to the state's obligations at a time when we have depleted our reserves and there is still a gap between revenues and expenditures, both in the current budget and the next."

Speaking against the override motion, Rep. Philip Krinkie (R-Shoreview) said attempting to override the veto was premature and that the Legislature should first deal with the remaining \$440 million budget deficit for this biennium, as well as the bonding bill.

Effective April 10, 2002, the new law will fund the public television appropriation by transferring a general fund appropriation to the Met Council for the bus garages. The Department of Finance will then sell bonds and appropriate the proceeds to the council.

Sen. Keith Langseth (DFL-Glyndon) is the Senate sponsor.

HF197*/SF107/CH280

★ HEALTH

Drug savings

The House Health and Human Services Finance Committee approved a prescription drug discount program April 9 — a measure designed to make the drugs more affordable for lower income Minnesotans.

The bill (HF2646), sponsored by Rep. Fran Bradley (R-Rochester), now goes to the House Ways and Means Committee.

The measure would direct the Department of Human Services to establish a drug discount program that would be available to Minnesotans at a maximum 250 percent of federal poverty levels — those who earn at most \$21,475 annually.

It would potentially reduce drug prices by 20 percent to the Medicaid rate.

Those with prescription drug coverage through a private, state, or federal health insurance plan would not be eligible. Drugs that are available by at least three manufacturers would not be included in the discount program.

Bill supporters, including a number of state medical groups, pharmacists, and the Minnesota Senior Federation, called the committee's action an important step toward securing legislation that would ease the financial burden faced by many senior citizens.

Meanwhile, the measure's lead opponent, the Pharmaceutical Research and Manufacturers of America, argued that the industry is already taking steps to make drugs more affordable for lower-income people.

Randy Morris, who represents the pharmaceutical trade group, said the industry supports expanding insurance coverage like adding a drug benefit to Medicare instead of state-level discount programs, which are directed specifically at consumers. Morris also raised the possibility that the industry might eliminate its programs to offer free drugs to some lower-income customers if the state launches its own discount program.

Under the bill, the program's startup costs would be funded by transferring \$6.5 million from a state cash flow account to the



Marty Gates from the Minnesota Senior Federation's metro unit addresses the House Health and Human Services Finance Committee April 9 in support of a bill that would establish a prescription drug discount program.

Minnesota prescription drug dedication fund. The program would take effect Jan. 1, 2003.

Participating pharmacies would be required to sell discounted drugs to eligible customers. In turn, the pharmacies would be eligible for state reimbursement based on rebates from drug manufacturers.

"I've been committed from the beginning to this program even though I originally had concerns about its impact on pharmacists and creating another bureaucracy," Bradley said.

Supporters acknowledged that the bill is coming out of committee very late in the session — several weeks beyond finance committee deadlines. However, they are still hopeful of the bill's success, which will require certain deadline requirements to be waived, before the Legislature adjourns this spring.

The Senate passed a bill calling for a similar program in May 2001. However, that bill (SF765), sponsored by Assistant Majority Leader John Hottinger (DFL-Mankato), does not contain the income limit.

Committee members voted down an amendment offered by Rep. Betty Folliard (DFL-Hopkins) that would have eliminated the income limit. Similarly, an amendment offered by Rep. Luanne Koskinen (DFL-Coon Rapids) that would raise the "mean's test" to 300 percent of federal poverty failed.

The committee had previously endorsed HF2646 and considered it for possible inclusion in an omnibus health and human services spending bill. The House Health and Human Services Policy Committee also approved the bill in February.

Dental safety concerns

The state would require that the Minnesota Board of Dentistry be informed of dental professionals who are unable to practice because they have been impaired by an illness or drug use, under a bill passed by the House on April 4.

The bill (HF3193/SF2957*) applies to dentists, dental hygienists, and dental assistants. It passed 134-0.

House members approved an amendment to the bill that reduced its scope. Before the revision, individuals would have been required to report "any conduct" by a dental professional that might warrant disciplinary action.

In the form passed by the House, the bill more specifically relates to professionals "unable to practice with reasonable skill and safety" stemming from a physical or mental condition or substance abuse.

Healthcare facilities would be required to report any disciplinary action taken against the dental professional to the state Board of

Dentistry along with notice if the individual resigned.

Additionally, dental associations would be obligated to report any termination of memberships related to a dental professional's impairment.

The disclosure requirement would also apply to any licensed health professional with knowledge of the individual's inability to practice.

Healthcare facilities and individuals that submit reports to the Minnesota Board of Dentistry in good faith would be immune from criminal prosecution and civil liability, under the bill.

Rep. Dan McElroy (R-Burnsville) and Sen. Don Samuelson (DFL-Brainerd) are the bill sponsors. It passed the Senate 62-0 on March 12.

The Senate repassed the bill April 11 by a vote of 61-0. It now goes to the governor's desk.

Definition change

The House passed a bill April 8 that would make it easier for mentally ill people to be taken to a medical facility if they pose a danger to themselves or others.

The bill (HF2735/SF2457*) would strike the word "imminent" from the law used by law enforcement to determine if a person poses an "imminent danger" to themselves or others.

Rep. Mindy Greiling (DFL-Roseville), the House sponsor, said the bill has wide support in the medical and law enforcement fields, and had little opposition.

But some representatives felt the change would give too much authority to police and family members of mentally ill people when deciding whether the person should be sent to a mental hospital.

Speaking in opposition, Rep. Mary Liz Holberg (R-Lakeville) said police are often called upon to break up arguments and other heated situations where people are not behaving rationally.

Police aren't medical professionals and shouldn't have to determine whether someone needs to be placed in an institution, she said.

"We need to tread very carefully when we take away the rights of an individual," she said.

Greiling said the bill would free police from making such decisions because they would be able to take the person for medical treatment immediately instead of placing the person in jail first and then figuring out what to do with them.

Other supporters said that the word

"imminent" doesn't give law enforcement enough discretion.

Leaving the word "imminent" in law means there has to be a gun at someone's head before police can act, said Rep. Fran Bradley (R-Rochester).

The bill would also require the state Department of Human Services to conduct a study and report to the Legislature regarding the unmet health needs of Minnesotans.

In response to a recent Minneapolis shooting death of a Somali man, Rep. Karen Clark (DFL-Mpls) added an amendment requiring the department to also study the specific mental health needs of the immigrant and refugee communities.

The amended bill was approved 122-10. The Senate version, sponsored by Sen. Linda Berglin (DFL-Mpls) was repassed April 9 by a vote of 54-3. The bill now goes to the governor for approval.

HIGHER EDUCATION

Agent registration

Signed
by
the
governor
★ ★ ★

Agents wanting to associate with student-athletes in Minnesota will need to pay to do so, under a new law.

The law was signed April 10 by Gov. Jesse Ventura.

Sponsored by Rep. Peggy Leppik (R-Golden Valley) and Sen. Deanna Wiener (DFL-Eagan), the new law will require agents to register with the state commerce commissioner before contacting a prospective client. It takes effect Jan. 1, 2003.

Drafted by the National Conference of Commissioners on Uniform State Laws, the law is designed to standardize state regulations that govern agent conduct with student-athletes. Leppik said it has been enacted in 11 states and is pending in many others.

Although there have been no problems in Minnesota that she is aware of, Leppik said there have been "too many issues nationwide of the unethical performance of agents jeopardizing the eligibility of student-athletes."

An agent wishing to register in the state will be required to pay a \$500 fee that would be valid for two years. Renewals will cost \$400. Parents wishing to represent their own children will be exempt from the fee.

Agents contacted by student-athletes, but not yet registered with the state, must do so within seven days, under the new law, and they cannot enter into an agreement until registered. Included on the registration will be the agent's formal training, experience, and other individuals represented by the person.

Agents who violate the act could be assessed a civil penalty of up to \$25,000 per incident.

The law calls for a contract to clearly state that signing with an agent could affect the student-athlete's eligibility. It will also give student-athletes 14 days to cancel an agreement after it is signed. Furthermore, once an agreement is signed the student-athlete's school must be notified within 72 hours, or before the next game, whichever is earlier.

Leppik said the National Collegiate Athletic Association (NCAA) supports the plan, as do representatives from the University of Minnesota and St. Cloud State University.

The House passed the law 81-47 March 26, and the Senate 63-0 on April 4.

HF2719*/SF2827/CH332

HOUSING



Affordable housing costs

Signed
by
the
governor
★ ★ ★

Cities will soon be able to take steps to ensure affordable housing remains affordable for low-to moderate-income households for up to 20 years, under a new law signed by Gov. Jesse Ventura

on April 5.

The new law is effective Aug. 1, 2002.

Often, cities grant housing developers breaks on regulatory provisions, such as zoning. Typically the units are affordable at first, but cities had no ability to require the owner to keep those costs manageable for lower-income families.

The new law will require cost qualifications to maintain affordability over time.

Cities will be allowed to impose the following requirements on affordable housing:

- certain sale prices or rents for the affordable units;
- maximum income limits for buyers or renters of the units;
- means for maintaining long-term affordability, by using equity sharing, for example; and
- land trust agreements for the units.

A land trust is when an organization, usually a nonprofit, leases a lot to developers, who pay rent on the land over time. Developments built on leased land are much less expensive than those built on purchased land.

A city would be allowed to impose such requirements for up to 20 years.

The law was amended during debate on the House floor with a provision not directly related to the other housing portion. The new language will also allow cities or towns to prepare a statement of potential housing fiscal changes.

The fiscal note would report regulation

changes that could increase or decrease costs for a housing development. The changes could include the location, height, width, type of foundation, number of stories, or design of residential housing in a city or town that has adopted the state building code and is located in a county with a population of 30,000 or more, according to the new law.

The statement would also explain the long-term implications, alternatives to, and rationale for the proposed changes.

Rep. Ray Vandever (R-Forest Lake) and Sen. Richard Cohen (DFL-St. Paul) sponsored the legislation. The House passed the bill 127-0 on March 26, and the Senate 56-6 on April 2.

HF3169/SF2881*/CH315

INDUSTRY



Low-powered technician license

Signed
by
the
governor
★ ★ ★

Instead of sending licensed electricians to work on low-powered electrical systems, companies will soon be able to use a "power-limited technician," a person licensed to perform and supervise work on technology circuits and systems.

A new law will create licensing requirements, as well as modify, existing statutes to allow this type of electrical work. Gov. Jesse Ventura signed the legislation April 8.

It is effective Aug. 1, 2002.

"After many years of debate ... this is the end result of a compromise," said Rep. Erik Paulsen (R-Eden Prairie), the House sponsor.

The new law clarifies previous law, which the state Board of Electricity interpreted to mean that only licensed electricians could perform any kind of electrical work, even when there was not a safety concern, Paulsen said.

"Companies were being hamstrung and not being able to do their work," he said.

Some examples of non-dangerous wiring work are installation of burglar alarms, landscape lighting, telecommunications, stereo wiring, and other low-voltage wiring systems.

Electrical unions had previously opposed the law because they thought electricians would lose some business, Paulsen said. But this year the unions agreed with the legislation after supporters in the Senate passed the law, he said.

A power-limited technician is defined in the new law as a licensed person having the experience and knowledge to install, repair, or supervise the installing or repairing of electrical wiring for technology systems. This technician is permitted to supervise up to five unlicensed people, whereas a licensed electrician can supervise up to two people.

BATAAN MEMORIAL



PHOTO BY ANDREW VON BANK

Members of Brainerd American Legion Post #255 present the colors during an April 9 dedication ceremony of a plaque commemorating the Bataan Death March. The plaque is located in the Court of Honor on the State Capitol grounds.

The House passed the legislation 131-0 on April 3, and the Senate 63-0 the same day. The Senate sponsor is Sen. Dan Stevens (R-Mora).

HF1683/SF2150*/CH328

New telecommunications laws

Signed
by
the
governor
★ ★ ★

A new law signed by Gov. Jesse Ventura on April 8 makes minor changes to the state's telecommunications statutes.

Effective Aug. 1, 2002, the new law will instruct the state commerce commissioner to contract with a telephone company that meets the department's approval instead of a local consumer group, as is required in current law, to provide telecommunication relay services to its hearing-impaired consumers.

In addition, the new law will change the name of the fund used to pay for the services to more clearly reflect that the funds provide access for communication-impaired people. "Telecommunication Access for Communication-Impaired Persons" will be changed to "Telecommunications Access Minnesota Fund."

Further, telephone companies will be permitted, upon a customer's approval, to send a customer's bill electronically instead of by paper.

The new law also allows, upon local

approval, two Alexandria utilities to formalize a relationship to provide local niche service. The new law says that the city may enter into a joint venture with Runestone Telephone Company and Runestone Electric Association.

The legislation passed by a 130-0 vote in the House March 7, and by a 63-0 vote April 3 in the Senate. The sponsors are Rep. Ken Wolf (R-Burnsville) and Sen. James Metzen (DFL-South St. Paul).

HF3125*/SF2987/CH329

INSURANCE



Scoring regulation

The House passed a bill 131-2 on April 4 that would regulate the use of the insurance practice known as "credit scoring" in determining automobile and homeowner policies in the state.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Dave Johnson (DFL-Bloomington), the bill (HF2492/SF2363*) would prohibit insurers from rejecting, canceling, or not renewing automobile or homeowners insurance in whole or in part solely on the basis of credit information.

Credit scoring, which differs from a credit report, attributes a "score" to a person based on personal borrowing and spending habits. The practice was developed by mortgage lenders to determine the risk of an applicant in defaulting on a loan.

The bill would require insurers who use credit scoring in their underwriting to file the scoring methodology and information that supports the insurer's use of a credit score with the Department of Commerce.

It also prohibits credit scoring if the scoring incorporates gender, race, nationality, or religion of an insured person or applicant.

Davids, an insurance agent, said that the bill, as introduced, would have prohibited the use of credit scoring altogether but that to get something passed this session he worked with the interested parties to reach a compromise agreement.

Rep. Andy Westerberg (R-Blaine), also an insurance agent, expressed concerns with the bill as it was introduced but said he supports the current version. He said that credit scoring, like the discount some companies offer for students who get good grades, could be an indication of the type of driver that a person may be.

Westerberg said that credit scoring doesn't raise the overall rates that are charged but can shift the costs from some insured people to others.

The Senate, which passed the bill 65-0

March 14, did not concur with the amended version April 8. The differences will be discussed in a conference committee.

New insurance fraud division

Signed
by
the
governor
★ ★ ★

A new law will create an insurance fraud division in the state that will be charged with investigating and prosecuting a crime for which consumers ultimately pay.

Bob Johnson, executive vice president for the Insurance Federation of Minnesota, said the legislation has broad-based industry and bipartisan support.

"It is a crime that is increasing everybody's insurance premiums and everybody agrees we should stop it," he said. "All insurance companies do is reflect the cost, and consumers lose."

Signed by Gov. Jesse Ventura April 10, the new law will authorize the transfer of a small division in the Department of Labor and Industry that currently handles workers' compensation insurance fraud to the Department of Commerce. The new law provides the framework for a larger division that will handle all types of insurance fraud.

Currently, local law enforcement authorities handle these cases.

No new positions will be created, and no new money is designated for the division in the new law. However, Johnson said his organization will be back next year with a bill to grow the division.

Insurance fraud is estimated to constitute 10 percent of all claims filed in Minnesota, including auto, health, life, and disability. The average household pays \$1,000 annually due to insurance fraud, Johnson said.

Under the new law, the division is responsible for initiating an investigation when "there is reason to believe insurance fraud has been or is being committed," and to report incidents of alleged insurance fraud to law enforcement authorities, such as the attorney general or county attorneys.

The changes in the law are effective Aug. 1, 2002.

The new law also makes it a crime to employ or use a "runner," "capper," or "steerer." The terms, recommended by Attorney General Mike Hatch, describe a person who pays people to bring others to medical clinics to commit insurance fraud related to auto insurance. These actions are currently against the law, but this provision better equips prosecutors for charging people with crime.

The new law was sponsored by Rep. Greg Davids (R-Preston) and received a 131-1 vote from the House on April 3. Also sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), the

Senate approved the law 60-0 on April 4.
HF3497/SF3015*/CH331

★ LOCAL GOVERNMENT

Neighborhood organizations

Certain nonprofit neighborhood organizations would be allowed greater flexibility in membership voting, under a measure passed by the House 87-45 on April 9.

The bill now heads to the governor, since the Senate repassed the amended bill 49-3 the same day.

Current laws governing nonprofit corporations require that when a vote is to be taken on matters such as amending the corporate articles or bylaws, the board must notify the voting members of the election date no more than 60 days prior to the vote. Only members notified are allowed to vote on the matter.

Sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Jane Ranum (DFL-Mpls), the bill (HF3445/SF3238*) would allow neighborhood organizations that are also nonprofit corporations the option of allowing others to vote without meeting the mandatory notice requirement.

The bill would allow members who are on a pre-existing membership list or who have a valid driver's license or state identification card with an address in the defined neighborhood boundaries to vote. Members would also be allowed to vote if they can show proof of ownership of a business or property within the neighborhood or have someone vouch for their residency.

Wagenius said her own neighborhood group, which under current law has to exclude certain residents from voting because of the nonprofit corporation notification requirements, brought the issue to her.

The bill would apply to neighborhood organizations that represent a defined geographic area and have been accepted by a unit

of government as the basic planning unit for the area.

Rep. Jerry Dempsey (R-Red Wing) questioned why the bill was needed and why the state should mandate how neighborhood organizations should structure themselves.

Wagenius said the bill would allow neighborhood organizations that are also nonprofit corporations to use the options offered under the bill, but the provisions would not be mandatory.

★ RECREATION

Brooklyn Park baseball proposal

With much of the potential baseball stadium site discussion focused on Minneapolis and St. Paul, it was Brooklyn Park's turn at bat April 5 as city officials presented their vision of a plan before the House-Senate stadium conference committee.

Mayor Grace Arbogast said the city is the sixth largest in the state and fourth largest in the Twin Cities metropolitan area. Of its 27 square miles about seven to eight miles is undeveloped land.

She said the city has been working for five years to develop a family-oriented entertainment district in the city. The plan would include retail businesses, restaurants, theaters, and other recreational establishments. A baseball stadium would anchor the district.

Because adequate infrastructure is already in place, the city would be the perfect host for the ballpark, said City Manager Curt Boganey. He also pointed to plans for a parking lot adjacent to the facility that would allow fans to tailgate before games, similar to what occurred at the former Metropolitan Stadium in Bloomington, as an additional benefit.

The city estimates that it could generate around \$6 million per year from the parking fees. Boganey said the city is also considering a hotel/motel tax, an admissions tax for events in the stadium, personal seat license fees, and



Brooklyn Park City Manager Curt Boganey and Mayor Grace Arbogast present a proposal to build a ballpark in their city to members of the House-Senate stadium conference committee April 5.

a countywide rental car tax.

Rep. Ron Abrams (R-Minnetonka), who serves on the board of the Minnesota Orchestra, said the site is the same one where the orchestra unsuccessfully tried to build an amphitheater. The orchestra pursued the amphitheater for three years, before abandoning the plan in February 2001.

Abrams asked whether city residents would support a 35,000- to 40,000-seat facility when it rejected the 20,000-seat amphitheater.

Unlike the amphitheater project, Arbogast said she has received only a couple of calls against the city pursuing the baseball stadium.

Recently elected Rep. John Jordan (R-Brooklyn Park) said when he was out campaigning there was "50 to 1" support for the stadium in the community.

The conference committee has not taken action on the stadium plan.

SAFETY



Tougher sentences

The House passed a bill April 9 that is designed to crack down on sexual offenders.

The bill (HF3613/SF3172*) would extend the probation period to 10 years if an offender has multiple sex offense convictions, including convictions in other states.

It would also create a felony offense for people who harass or stalk children with sexual or aggressive intent if the offender is more than three years older than the victim. Those found guilty could be sentenced to up to 10 years in prison and fined up to \$20,000.

Fifth-degree sexual crimes would be added to the list of behaviors that can determine a pattern of harassing conduct, under the measure.

Rep. John Tuma (R-Northfield), the House sponsor, said the bill is an attempt to "make life difficult for sex offenders."

House members amended the bill a number of times during debate.

Rep. Dennis Ozment (R-Rosemount) added a provision that would extend the advance notice that a level 3 sex offender must give before moving into a new residence.

Level 3 sex offenders have committed the most serious offenses under the state's system of categorizing offenders.

The bill would require offenders to give 21 days notice, up from the current standard of five days. In cases where that is not possible, it would require a notice to be posted at the residence until public meetings can be held to inform neighbors.

Also added to the bill was a restriction prohibiting level 3 sex offenders from living

within 1,500 feet of a park or school, and within that same distance from each other.

Some members expressed worry that the new restrictions would leave sexual offenders with few choices about where they can live.

Rep. Dave Bishop (R-Rochester) said the restrictions are unneeded because sexual offenders are properly supervised by the state.

If the state Department of Corrections requests the changes, then the Legislature should comply but otherwise it shouldn't leave offenders "living on a cloud," he said.

In order to make community notification meetings more effective, a provision was amended in that would require information to be presented to the community in up to three different languages that would be determined by the city council.

House Minority Leader Tom Pugh (DFL-South St. Paul) offered an amendment that would have extended the statute of limitations for sexual abuse victims to collect civil damages from abusers. However, it was ruled not relevant to the bill, which deals primarily with criminal provisions, and debate was not heard on the issue.

The bill passed the House 130-1 and will now be discussed in a House-Senate conference committee. The Senate, which originally passed its version 63-0 on Feb. 14, did not agree with House amendments. Sen. David Knutson (R-Burnsville) is the Senate sponsor.

Make way for emergency vehicles

**Signed
by
the
governor
★ ★ ★**

Drivers who don't pull over for emergency vehicles could soon face harsher penalties.

Gov. Jesse Ventura signed a measure into law April 5 that will allow emergency vehicle drivers to call in the license plate numbers of drivers who get in their way.

The new law makes it a petty misdemeanor for drivers who simply refuse to yield because they don't know the law or don't notice the vehicle, but a misdemeanor for those who intentionally impede the emergency vehicle.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul) sponsored the law.

Entenza said the law should be changed because drivers are refusing to yield to emergency vehicles more and more frequently.

The new law gives emergency vehicle drivers similar authority to call in license plates that school bus drivers have to report drivers who drive through a bus stop sign, he said.

Also included in the bill is a provision that allows law enforcement personnel to pass through red lights or stop signs while either

flashing their vehicle's lights or sounding its siren.

Current law requires emergency vehicles to do both while passing through an intersection.

Supporters said the change would allow police the ability to sneak up on criminals who may otherwise flee the scene of a crime when they hear sirens approaching.

That part of the bill went into effect April 6, while other provisions will be effective Aug. 1, 2002.

The law passed the House 128-0 on April 2 and the Senate 57-0 on March 26.

HF2706*/SF3076/CH319

Color-coded licenses

Chartreuse is a pale, yellow-green color.

It is also the color some lawmakers want placed along the top of driver's licenses of people in the state on temporary visas.

Lawmakers debated whether the state should require the color-coding during an April 4 House-Senate conference committee meeting on anti-terrorism bills.

The House has included the color-coding provision in its bill (HF2622) but the Senate's plan (SF2683) has no such requirement. Rep. Rich Stanek (R-Maple Grove) and Sen. Jane Ranum (DFL-Mpls) are sponsoring the bills.

Public Safety Commissioner Charlie Weaver said the colored stripe would send a signal to police to help determine when people might have overstayed their visas and are in the country illegally.

Since 15 of the 19 terrorists involved in the Sept. 11 attacks were in the country illegally and slipped by law enforcement, the system needs to be tightened, Weaver said.

Others said color-coding licenses would give store clerks and others a way to discriminate against the visa holders and would not deter terrorists.

Sen. Steve Kelley (DFL-Hopkins) said it's unclear how the color-coded licenses would prevent terrorism, since the terrorists had been in the country legally for awhile before their visas expired.

Supporters said the state already issues eight different color-coded licenses for various classes, including a different color for drivers under 21, and lawmakers haven't complained about age discrimination.

But that is a different scenario, Kelley said. "Every 16-year-old trying to buy cigarettes is breaking the law," Kelley said. "Foreign nationals on a temporary visa are not all terrorists."

The state is concerned about discrimination but also has to balance the need for security, Weaver replied. Discrimination will continue to be against the law, and there are legal



Public Safety Commissioner Charlie Weaver shows legislators some examples of color-coded licenses during the April 4 meeting of the House-Senate conference committee working to reconcile differences between two anti-terrorism packages.

channels for people who are discriminated against, he added.

Rep. John Tuma (R-Northfield) said the color-coding might prevent discrimination since immigrants who are in the country legally and permanently would be issued a red-coded license, not a chartreuse one.

"The majority of immigrants will get a license that looks just like mine," he said.

After discussing the provision for a few hours, Weaver was asked whether the Department of Public Safety even needed legislative approval to implement the new color-coding.

Weaver said the department didn't seek legislative approval when it began placing color-coded stripes on other licenses.

Ranum asked Weaver if he would go ahead with the color-coding even if the Legislature doesn't approve the plan.

"I hadn't thought of that," he replied.

The conference committee has taken no action on the anti-terrorism proposals.

Legitimate licensure

About 4,500 people tried to acquire a Minnesota driver's license with fake identification last year, Public Safety Commissioner Charlie Weaver told a conference committee April 4.

The committee is working to sort out differences between the House and Senate anti-terrorism bills and create a joint proposal.

Some of those turned down for a license in Minnesota because they couldn't produce proper identification were able to obtain licenses in other states that aren't as good about

checking identification, Weaver said.

Because Minnesota law currently accepts a driver's license from other states as proof that identification is valid, those individuals could then return to Minnesota and legally obtain a license, he said.

Sponsored by Rep. Rich Stanek (R-Maple Grove), the House version (HF2622) includes a provision that would require two forms of identification from people from other states and countries applying for licenses in Minnesota. The Senate plan (SF2683) does not include such a provision. It is sponsored by Sen. Jane Ranum (DFL-Mpls).

Rep. John Tuma (R-Northfield) said the change would ensure that people cannot obtain licenses without proof of identification.

Sen. Steve Kelley (DFL-Hopkins) questioned whether invalid licenses from other states were the problem.

"Isn't the real problem the birth certificate?" he asked. "That's the easiest document in this whole mess to forge."

Weaver agreed that forged documents are a problem, but said the bill includes small steps to begin improving the system.

Immigration attorneys Benjamin Casper and Jorge Saavedra, spoke against the proposed change.

Immigration law is among the most confusing and complex portions of federal law and states will not be able to keep up with changes, Casper said.

Besides, he argued, if terrorists are determined to do damage, they could pay another \$1,000 or so to buy false identification, or not obtain a license at all.

"It may be obvious, but driver's licenses don't permit anyone to carry out crimes," Saavedra said.

That may be true, but that doesn't mean the state should make it easy for terrorists by not doing everything it can to trip them up, Tuma responded.

Terrorists aside, Sen. Mee Moua (DFL-St. Paul) asked what the new requirements would mean for average drivers who already face long lines to renew their licenses.

Weaver said the change shouldn't significantly affect the amount of time it takes to get a license.

Coordinated response

In the chaos following the Sept. 11 terrorist attacks many hospitals nearest the attacks were overwhelmed with victims, while those a little further away stood by ready to help, frustrated they weren't being used.

The problem was that ambulance personnel did not know which facilities had room for the injured, according to Dr. R.J. Frascione, medical director of emergency medical services at Regions Hospital in St. Paul. He spoke April 9 before the House-Senate conference committee meeting on anti-terrorism bills.

In order to avoid such confusion, Minnesota has two Medical Resource Control Centers (MRCCs) in the Twin Cities metropolitan area that direct ambulance transfers coming into the area.

The control centers involve a radio control facility that coordinates ambulances, hospitals, and patients. It is critical when responding to a terrorist attack such as the ones in New York and Washington D.C., Frascione said.

Minnesota has two centers, but Ramsey County is cutting funding for the eastern center, and it will close without assistance from the state, Frascione said.

The Senate's anti-terrorism plan (SF2683), sponsored by Sen. Jane Ranum (DFL-Mpls), includes a 25-cent increase in the 911 surcharge. Under the plan, one cent of the increase would pay for the centers, which cost about \$350,000 a year to operate, Frascione said. The House bill (HF2622), sponsored by Rep. Rich Stanek (R-Maple Grove) has no such increase.

Ramsey and Hennepin counties currently pick up most of the cost of the centers.

Some committee members asked why hospitals don't kick in the money needed to coordinate services.

Hospitals see it as a public health and safety issue, Frascione said. "Hospitals think patients magically arrive. They won't budge on this."

The east center currently directs about

40,000 patients into the Twin Cities metropolitan area, and the Hennepin County center directs about twice that, Frascone said.

"We learned an essential lesson from (Sept. 11)," he said. "We cannot manage a large terrorist attack without an MRCC."

The committee took no action on the bills.

★ TECHNOLOGY

Wiretap use expansion

Technology was the theme at an April 4 meeting of a House-Senate conference committee working on an anti-terrorism package.

Sponsored by Rep. Rich Stanek (R-Maple Grove), the House bill (HF2622) would expand the crimes for which law enforcement officials can use wiretaps to investigate and would make it easier for police to obtain a judge's authorization for a roving wiretap.

Instead of a traditional wiretap warrant that would cover one telephone or communication device, roving wiretaps are used to track any device used by the person being tapped.

The bill would also allow law enforcement to treat voicemail messages and other stored communication the same as property when conducting a search warrant.

The Senate's anti-terrorism plan (SF2683) has no comparable provisions. It is sponsored by Sen. Jane Ranum (DFL-Mpls).

Currently, police have the authority to take tapes out of answering machines when searching a home for evidence, explained Scott Hersey, an assistant Dakota County attorney. But getting access to messages stored in remote locations, such as voicemail systems, requires a separate permit.

Sen. Steve Kelley (DFL-Hopkins) pointed out that many forms of communication that seem to be taking place in real time are in fact stored in a computer.

For example, instant messages sent via the Internet may technically be stored but most consumers would think of it as live communication, he said.

In addition, cellular phones often error-check and buffer digital signals before the signals arrive at their destination, which could be considered stored communication.

Members also discussed a provision in the House bill that would allow Internet service providers to turn over information that may cause harm to life or limb if not disclosed and would grant them immunity from lawsuits when doing so.

Although some members pointed out that providers wouldn't have time to screen information to determine whether it contains threatening material, Rep. John Tuma (R-Northfield) said the bill would allow

providers to hand over information on the off-chance anything turns up.

No action was taken on the bills.

★ TRANSPORTATION

Flashing red for funerals

Signed
by
the
governor
★ ★ ★

A new law signed April 5 by Gov. Jesse Ventura will allow the driver of a funeral home motorcycle or vehicle to use a flashing red light to warn drivers that a funeral procession is following.

The change is effective Aug. 1, 2002.

Rep. Jim Knobloch (R-St. Cloud), the House sponsor, said police in Greater Minnesota often do not have time to lead funeral processions, leaving funeral home employees to do so.

Since funeral home vehicles were previously not allowed to use a flashing red light, it was often dangerous for drivers when the procession passed through an intersection, he said.

In the past, drivers could recognize a funeral procession because cars in the procession would have their lights on, Knobloch said. However, many cars now drive with their lights on all the time as a safety feature, so other drivers may not realize when cars are part of a procession.

An earlier version of the law called for funeral homes to be able to control traffic lights like law enforcement and emergency vehicles, but the House removed that provision.

The House passed the measure on March 27 by a vote of 129-0 and the Senate passed it 58-2 on April 2. The Senate sponsor was Sen. Dave Kleis (R-St. Cloud).

HF3076/SF2612*/CH316

Gas tax dilemma

Representatives of various transportation groups had an opportunity to tell members of House-Senate conference committee their thoughts about a proposed gas tax increase that legislators do not agree on.

The April 8 debate centered in the committee, convened to negotiate an agreement on transportation funding and bonding, around competing Senate and House plans to pay for transportation needs across the state.

The Senate plan, sponsored by Sen. Dean Johnson (DFL-Willmar) would increase the gas tax by 6 cents to pay back about \$5 billion borrowed over 10 years. The House plan, HF3364, sponsored by Rep. William Kuisle (R-Rochester) would spend about \$750 million in a combination of expected increases in current transportation funds and sale of trunk highway bonds.

Among the long list of testifiers were about a dozen members of the Minnesota Transportation Coalition, which offered a

compromise plan to raise the gas tax 5 cents beginning in 2004.

Ron Lifson, the coalition chair, expressed frustration with legislators, saying it's time for the state to do something about its transportation problems.

"We are at the same place we are at every year with transportation," he said. "The House and the Senate pass vastly different packages and then point fingers."

The coalition's plan is the middle ground, he said.

Jim Waffler, president of the Highway Construction Industry Council and a member of the coalition, told members that there are more than \$785 million in unmet transportation needs projected in the state over the next decade.

The 5-cent increase would cost the average driver about \$50 annually, a modest amount compared to the estimated \$600 a year the average driver spends sitting in traffic, he said.

Kuisle defended the House plan, saying the House is being more realistic about its spending. Almost everything in the state has some unmet needs, he said.

Other representatives also expressed reluctance to increasing taxes.

No action was taken on the bill.

Members of the conference committee will continue to meet to discuss differences between the plans but said it is unlikely they will take action until spending limits are set by the House and Senate leadership.

★ VETERANS

Veterans home admission

Signed
by
the
governor
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Gov. Jesse Ventura signed a new law April 4 changing the criteria used to determine a veteran's eligibility to qualify for residence in the state's veterans homes.

Under previous requirements, state tax refunds and rebates could not be considered as means of support when a veteran was applying for admission into a home. Earnings that a resident received from participating in a work therapy program were also excluded.

The new law, sponsored by Rep. Sondra Erickson (R-Princeton) and Sen. Dan Stevens (R-Mora), includes federal tax rebates among the admission criteria that cannot be considered when determining income.

Erickson said the law will allow veterans to get into the homes more easily.

The state has five veterans homes located in Fergus Falls, Hastings, Luverne, Minneapolis, and Silver Bay.

The new law, which passed 130-0 in the House and 63-0 in the Senate, is effective for rebates issued after June 30, 2001.

HF2647/SF2569*/CH313

Public broadcasting

Now 35 years old, public funding makes up a small percentage of public television and radio ventures

By THERESA STAHL

Public radio and television broadcasting received Congress' blessing in 1967 when federal lawmakers created the Public Broadcasting Act.

It designates the mission of public broadcasting as promoting "programs of high quality, diversity, creativity, excellence, and innovation, which are obtained from diverse sources ... with strict adherence to objectivity and balance in all programs ... of a controversial nature."

However, the federal act also provided that public broadcasting only receive a portion of its budget from the government, in particular so that it would maintain some autonomy from government interference.

"It will get part of its support from our government," said President Lyndon B. Johnson when he signed the act. "But it will be carefully guarded from government or from party control. It will be free, and it will be independent — and it will belong to all of our people."

Now, 35 years later, both the national and the Minnesota public broadcasters receive less than a quarter of their overall budgets from public entities. In fact, Minnesota's public radio and television ventures receive less than 10 percent of their overall budgets from the state.

And public broadcasting will change with a

federally mandated conversation to digital technology — an item Minnesota public television stations have struggled to secure public funding for with two gubernatorial vetoes.

In the federal act, the U.S. government established an organization to oversee public broadcasting, recognized public telecommunication's role in communities, and promised to create and maintain an annual budget to fund the mission described in the act.

"It will give a wider and, I think, stronger voice to educational radio and television by providing new funds for broadcast facilities," Johnson said.

"It will launch a major study of television's use in the nation's classrooms and their potential use throughout the world. Finally, and most important, it builds a new institution: the Corporation for Public Broadcasting."

The nonprofit, nonpartisan corporation is not an entity of the federal government. Governed by a board of directors, it is an organization created by Congress that is commissioned to help develop public telecommunications.

The 1967 act contains reasons Congress advocated for public radio and television broadcasting. It makes a strong case for developing broadcast media for "instructional, educational, and cultural purposes."

The act claims public telecommunications are "valuable local community resources" for addressing national and local issues through outreach programs, as well as addressing "the needs of underserved and underserved audiences."

Further, the act states that "expansion and

development of public telecommunications and of diversity of its programming depend on freedom, imagination, and initiative on both local and national levels."

Today, the national Public Broadcasting System (PBS) operates on an annual budget of nearly \$320 million, and National Public Radio (NPR) has an operating budget of about \$123 million. Federal funding, through the corporation, totals about 11 percent for PBS and 20 percent for NPR. They also receive funds from membership contributions, corporations, colleges and universities, and state governments.

Congressional appropriations to the corporation were \$5 million in fiscal year 1969, and are \$365 million for fiscal year 2003, according to the corporation's Web site. In 1999, public broadcasting's revenue totaled \$2.1 billion.

Locally, Twin Cities Public Television (TPT) and Minnesota Public Radio (MPR) are the largest public broadcasting entities, with station affiliates across the state.

Federal and state funding accounted for about 11 percent of what Twin Cities Public Television received in support and revenue, and about 7 percent of what public radio received, according to each station's 2001 financial statements.

Production grants and individual contributions, each at nearly 30 percent of what TPT brings in, contributed the most funds in 2001. Individual memberships accounted for 21 percent of MPR's 2001 total budget, and grants accounted for 22 percent.

However, state allocations for public broadcasting are currently in a downward trend.

In 1999, Gov. Jesse Ventura recommended that all state funding for public broadcasting be phased out by the 2002-03 biennium.

Though legislators did not provide for complete phase-out of funding, appropriations were reduced in both 2000 and 2001 by about 20 percent. Allocations for 2002-03 held constant, aside from a matching grant dedicated to converting public television from analog to digital signals.

Ventura has also established a pattern of vetoing legislative appropriations for public broadcasting, claiming his desire that certain projects be funded from non-state sources.

He vetoed an appropriation for digital television conversion, which is mandated by the Federal Communications Commission by 2003, in 1999, saying it expands the state's role in an activity. He vetoed funds for the conversion again this session, but that veto was overridden by the Legislature (see related story, page 7).



PHOTO BY TOM OLMSCHIED

Minnesota public television stations will receive \$7.8 million to aid in the conversion to a digital signal after the House and Senate overrode Gov. Jesse Ventura's veto.

Hoping to change chambers

Cassell pledges to seek another legislative term, but this time it will be in the Senate

BY THERESA STAHL

As a young man serving in the United States Coast Guard in Greece, Rep. George Cassell (R-Alexandria) would stand on the quarterdeck of his ship, watching with anticipation the U.S. Navy Sixth Fleet moving toward the coast.

Seeing the American flags flying in the breeze, a knot would form in his stomach.

"It just makes me so proud," he said.

Cassell's patriotism is strong. The students in the many classrooms he has taught know it, and over the past two years of sponsoring Pledge of Allegiance legislation, much of the state has learned it too.

Soon to be departing the Minnesota House of Representatives to vie for a Minnesota Senate seat, Cassell will be remembered for his efforts to require students across the state to recite the pledge.

"He certainly has led the charge," said Rep. Paul Marquart (DFL-Dilworth).

Marquart, whose district is also located in northwestern Minnesota, noted the sincerity of Cassell's speeches about the bill on the House floor.

"You can tell when he talks that it is truly coming from his heart," Marquart said.

In 2001, the Pledge of Allegiance bill passed the House but not the Senate. This year, it passed the House again and awaits a full Senate vote.

Cassell said he debated whether to run for another term in the Legislature, and decided there is work yet to be done.

"I want to see a government that respects life, that respects family values, that wants

patriotism in its classrooms," he said.

He said that if he's elected he'll try to convince Senate members to help the bill become law. Or, as he put it, "I'd like to go over there and straighten 'em out!" he said, laughing.

But he is serious about teaching students the values he said this nation was founded upon.

"I think young people need to understand the underlying values that brought our country forward, the tremendous sacrifice of our founding fathers, and, more recently, the

people who have protected and have given their lives" for those values, he said.

Cassell's entire professional career has revolved around young people. After serving in the Coast Guard for four years, he earned a bachelor's degree in education from the University of Wisconsin-River Falls.

While teaching in a small, rural school he earned his master's degree at the University of Wyoming. Later, while serving as a school principal and special education director in Minnesota, he earned his doctorate in educational administration. He worked as a superintendent in Wyoming

and Idaho before spending his last 10 years in that position for the Alexandria school district until his retirement in 1997.

Shortly thereafter, Cassell was contacted about running for office when the state representative from his district decided not to seek re-election. He said that after 25 years of being in a public position as superintendent, he was looking forward to some anonymity.

"It was not a decision that was done very

lightly," he said, but "after a lot of consultation with my children, and a lot of prayer, and consultation with my wife," he decided to run.

Having worked in education, he said, "I've been on the receiving end of legislation that I've had to implement, and sometimes it didn't make a whole lot of sense. I thought maybe I can put a little rationale into some of that, particularly in terms of what schools have to deal with."

In March, new legislative boundaries put him in the same district as Rep. Torrey Westrom (R-Elbow Lake), whom Cassell said he won't run against.

"I'm humbled by his decision," Westrom said. "I take it as a high compliment."

The redistricting of Senate boundaries has paired Sen. Charles Berg (R-Chokio) against Sen. Dallas Sams (DFL-Staples). Berg will not seek re-election, and the new borders place Sams at the edge of the district and Cassell at the center.

"He's so well-rounded," Westrom said of Cassell's qualifications. "He's got a lot to offer the voters and a lot to offer the Senate."

But when the opportunity presented itself, Cassell had doubts about running.

"This was not an easy choice, either," he said.

Again, he turned to his children and his wife, Carol.

"I said to George, 'Look at this map,'" Carol said. "'You are the right person, in the right place, at the right time and I know you'll run for the right reasons.'"

Cassell wants to stay in the Legislature because he feels he has more to offer to help make government more efficient.

"Thomas Jefferson said government and liberty are on a collision course," he said. "The more government grows, the more liberty goes down."


"I want to prevent government from infringing on liberties. ... We've got a lot of work to do." 



PHOTO BY ANDREW VON BANK

Rep. George Cassell, a leading proponent of requiring the Pledge of Allegiance in school, speaks on the House floor. Cassell is leaving the House after this term to run for the Senate.

STEPPING DOWN

Rep. George Cassell
Republican
District 10B — Alexandria
Terms: 2

Career Notes: In his four years in the House, Cassell has served on a variety of committees, including education, agriculture, environment policy, and higher education finance. He sponsored legislation that would require public and charter school students to recite the Pledge of Allegiance at least once a week.

Hockey heritage

After eight terms working to aid the state's youth, Milbert laces up with a different team — his family

By SARAH MCKENZIE

When Rep. Bob Milbert (DFL-South St. Paul) ponders his impact as a state lawmaker, he can point to 61 new ice rinks around the state.

Milbert, who won't seek re-election after 16 years, sponsored the "Mighty Ducks" legislation, which has provided more than \$18.4 million in state grants since 1995 to provide more ice sheets for hockey in local communities.

Spurred by an explosion in youth hockey participation — particularly among girls — the program has awarded grants up to \$250,000 for new facilities and \$50,000 for renovations. The state grants have leveraged \$122.8 million in local private and public dollars.

House Minority Leader Tom Pugh, a fellow South St. Paul DFLer who played hockey with Milbert in high school, called the legislator a "tireless advocate" for his constituents in District 39B, which includes South St. Paul and Inver Grove Heights.

"His experience and creative ideas will be missed," Pugh said. "It will be difficult to fill his shoes, and his skates."

Milbert played hockey while at Dartmouth College in New Hampshire where he earned a geography degree.

While some lawmakers have decided to leave the House because of redistricting, Milbert said he's decided to step down to spend more time with his wife and three children. He will also focus on his job as president of Milbert Company, a franchise of the Culligan water company.

Milbert's daughters, Melissa and Megan, share his hockey gene. They played for national championship hockey teams at Harvard University and the University of Minnesota, respectively.

Megan Milbert, 22, said she admires his work to increase involvement in athletics.

"He'll be known as someone who wanted full opportunities for Minnesota youth," she said.

A member of the Minnesota Amateur Sports Commission since 1994, Milbert successfully pushed for a bonding request along with other commission members to build a youth golf course at the National Sports Center in Blaine.

"I have never worked as hard as I did to get



PHOTO BY TOM OLMSCHIED

Rep. Bob Milbert, a leader in creating athletic opportunities for Minnesota youth, is leaving the House after his term expires this year.

the state help for the kids golf facility," Milbert said. "It will surely be a model for other states when it is finally completed. The kids will have a place that they can call their own without competing with adults for tee times."

In addition to his sports advocacy, Milbert has focused on child safety and environmental issues while serving in the House.

At the beginning of his legislative career, Milbert sponsored legislation bolstering safety standards for residential garage door openers after the accidental deaths of four Minnesota children. The law has become a national model.

Milbert also carried the House game and fish bill for six years and authored an amendment to the state constitution preserving hunting and fishing rights ratified by Minnesota voters.

The amendment was adopted Nov. 3, 1998.

Rep. Alice Hausman (DFL-St. Paul) called Milbert a "thoughtful member committed to good public policy."

"He is an environmentalist in the best tradition," she said. "There are core values that I believe motivate him to respect nature and to protect resources. He has an intuitive sense about how to protect the environment and to protect our children's future."

House Majority Leader Tim Pawlenty (R-Eagan), who also grew up in South St. Paul, called Milbert a strong and smart advocate with an "ability to build coalitions and friendships."

"We need more public servants like him," he said.

Before he was elected to the House, Milbert served on the South St. Paul City Council.

Frustration with a zoning ordinance sparked Milbert's political ambitions. The city blocked his efforts to build a garage for his home, but after some wrangling with the city Milbert was eventually able to construct the garage.

Angered by the restriction, Milbert decided to run for city council in 1972. He was elected and served for 12 years.

Then in 1986 Milbert was elected to the House.

Virginia Lanegran, who served on the city council with Milbert and worked as his House campaign manager, said that although the legislator's work on athletics often receives more attention, he has been champion of education and establishing uniform property taxes.

Milbert currently serves as co-chair of the House Ethics Committee and also serves on the body's Rules and Legislative Administration and Taxes committees. He is the DFL lead for the Taxes Committee's Property Tax Division.

Milbert had the following advice for his successor: "Be true to your word and treat everyone with respect and dignity — emphasis on everyone. If you follow that advice, you will have a rewarding and successful tenure as a legislator." 🐾

STEPPING DOWN

Rep. Bob Milbert

DFL

District 39B — South St. Paul

Terms: 8

Career notes: Milbert authored legislation that has provided more than \$18 million in state grants to assist local communities in adding ice rinks. The lawmaker also sponsored a bill that added a clause in the state constitution preserving hunting and fishing rights.

Ideas are everywhere

Anti-terrorism and Internet privacy are two examples of legislation passed in other states being discussed in Minnesota

By LISA HILTON

Minnesota may not have a lot in common with New Mexico or Hawaii, but what happens in the chambers of other state legislatures can have an impact on Minnesota laws.

Although constituents, lobbyists, legislators, and others bring forward most ideas for bills, many of the ideas proposed each year are based on, or affected by, laws of other states.

This year is no exception.

Numerous bills and amendments addressing problems that other states have attempted to solve by passing laws have surfaced in the House. Among them are regulating Internet privacy and preventing terrorism.

Further, legislators who come up with ideas at home often begin the process of turning the idea into law by checking to see how similar laws have worked elsewhere.

Thomas Todd, director of the nonpartisan House Research Department, said the department takes many requests from House members to find laws from other states.

Tracy Fischer, a research consultant for the House Republican caucus, said representatives also ask partisan researchers to look into other state's laws.

Researchers use numerous sources, including legislative organizations like the Council on State Governments and National Conference of State Legislatures, its publications, and analysts to track how laws in other states are working and to provide background and research material for legislators.

Such research can take anywhere from a half-hour to days or weeks, and large interim projects can require temporary research assistants, Todd said.

But researchers usually don't do extensive research into other states' laws absent a specific request, he added, and what other states are doing is not always of interest to lawmakers.

Dan Kane, a research consultant for the House DFL caucus, said the amount of research done is in part dictated by subject areas and committee assignments. Often more

complicated issues will require more time, and some changes are prescribed by state law, leaving little room for flexibility.

Occasionally lawmakers will use laws in surrounding states as an argument for changing laws in Minnesota.

Rep. Phyllis Kahn's (DFL-Mpls) failed attempt to extend Minnesota's bar hours was based on the fact that bars in neighboring states are open until 2 a.m. Supporters of a bill allowing the sale of fireworks in

Having a precedent in another state can also help a bill's chances of being passed in Minnesota.

A bill (HF3625/SF2908*) that would regulate Internet service providers and require companies to label unsolicited e-mail messages, was taken in part from similar laws in Tennessee, California, and elsewhere.

House Majority Leader Tim Pawlenty (R-Eagan), who sponsors the bill in the House, told the House Civil Law Committee on Feb. 21 that similar laws have worked well in other states.

The bill was constructed from bits and pieces of other state's laws, with careful attention given to what does and doesn't work in other state's proposals, according to staff.

Sometimes legislators even notice different laws while traveling and return home armed with ideas for improving life in Minnesota.

"We take our cue from what other states are doing, and they take their cue from us. It's a circular process."

—Tracy Fischer, House Republican Caucus research consultant

Minnesota used a similar argument that selling fireworks is legal in surrounding states.

But even laws in non-neighboring states can affect changes in Minnesota laws.

During testimony on the House anti-terrorism bill (HF2622) Public Safety Commissioner Charlie Weaver said Minnesota should strengthen its driver's license laws because some other states don't require any proof that identification is valid when people apply for a license.


Minnesota also has been the source of ideas borrowed by other states.

For example, the state's CriMNet system has served as a model for other states wanting to copy the statewide criminal justice information system, Fischer said.

In addition, Minnesota's law allowing mothers to turn over infants to hospitals or other safe places was among the first in the nation and was used as a model for other states. The legislation was so popular that two years after the program began in 1999 over half the states had adopted similar laws.

"We take our cue from what other states are doing, and they take their cue from us," Fischer said. "It's a circular process."

Rep. Bob Milbert (DFL-South St. Paul) recently encouraged the House to adopt different speed limits for trucks hauling large loads after noticing that states such as Montana, Idaho, and Oregon limit trucks to 55 mph.

But just because laws exist in other states doesn't mean they will gain support in Minnesota. Other members of the House rejected Milbert's idea, saying there was no evidence the laws worked well in those states. 

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* newsmagazine, 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 to: <http://www.leg.mn>

Minnesota House of Representatives

Member's Term Information

Alphabetically by representative

Jim Abeler	2nd	Bill Hilty	3rd	Mike Osskopp	4th
Ron Abrams	7th	Mary Liz Holberg	2nd	Tom Osthoff	14th
Bruce Anderson	4th	Mark Holsten	5th	Mary Ellen Otremba	3rd
Irv Anderson	15th (non-consecutive)	Larry Howes	2nd	Dennis Ozment	9th
Thomas (Tom) Bakk	4th	Thomas Huntley	5th	Erik Paulsen	4th
Connie Bernardy	1st	Carl Jacobson	1st	Tim Pawlenty	5th
Len Biernat	3rd	Mike Jaros	13th (non-consecutive)	Michael Paymar	3rd
Dave Bishop	10th	Loren Geo Jennings	9th	Gene Pelowski Jr.	8th
Greg Blaine	1st	Jeff Johnson	1st	Maxine Penas	1st
Lynda Boudreau	4th	Ruth Johnson	2nd (non-consecutive)	Doug Peterson	6th
Fran Bradley	4th	Sheldon Johnson	1st	Thomas W. Pugh	7th
Mark Buesgens	2nd	John Jordan	1st	Jim Rhodes	5th
Lyndon R. Carlson	15th	Al Juhnke	3rd	Michelle Rifenberg	3rd
George Cassell	2nd	Phyllis Kahn	15th	Tom Rukavina	8th
James T. Clark	3rd	Henry J. Kalis	14th	Connie Ruth	1st
Karen Clark	11th	Margaret Anderson Kelliher	2nd	Leslie J. Schumacher	4th
Roxann Daggett	4th	Tony Kielkucki	3rd	Alice Seagren	5th
Gregory M. Davids	6th	Jim Knoblach	4th	Marty Seifert	3rd
Jim Davnie	1st	Luanne Koskinen	3rd	Anthony "Tony" Sertich	1st
Andy Dawkins	8th	Philip Krinkie	6th	Rod Skoe	2nd
Steve Dehler	5th	Gary W. Kubly	3rd	Wes Skoglund	13th (non-consecutive)
Jerry Dempsey	5th	William Kuisle	3rd	Nora Slawik	2nd (non-consecutive)
D. Scott Dibble	1st	Dan Larson	2nd	Steve Smith	6th
Dan Dorman	2nd	Rob Leighton	4th	Loren A. Solberg	10th
John Dorn	8th	Ann Lenczewski	2nd	Rich Stanek	4th
Rob Eastlund	1st	Peggy Leppik	6th	Doug Stang	3rd
Matt Entenza	4th	Bernie L. Lieder	9th	Steve Sviggum	12th
Ron Erhardt	6th	Arlon Lindner	5th	Dale Swapinski	2nd
Sondra Erickson	3rd	Eric Lipman	1st	Howard Swenson	4th
Geri Evans	3rd (non-consecutive)	Tim Mahoney	2nd	Barb Sykora	4th
Tim Finseth	5th	Harry Mares	4th	Mark Thompson	1st
Betty Folliard	3rd	Carlos Mariani	6th	Kathy Tingelstad	3rd
Doug Fuller	2nd	Sharon Marko	4th	John Tuma	4th
Chris Gerlach	2nd	Paul Marquart	1st	Ray Vandever	3rd
Mark S. Gleason	2nd	Dan McElroy	4th	Jean Wagenius	8th
Kevin Goodno	6th	Mary Jo McGuire	7th	Neva Walker	1st
Barbara Goodwin	1st	Bob Milbert	8th	Dale Walz	1st
Gregory Gray	2nd	Carol L. Molnau	5th	Scott Wasiluk	1st
Mindy Greiling	5th	Richard Mulder	4th	Andrew Westerberg	2nd
Bob Gunther	4th	Joe Mullery	3rd	Torrey Westrom	3rd
Bill Haas	4th	Mary Murphy	13th	Tim Wilkin	2nd
Tom Hackbarth	3rd (non-consecutive)	Robert "Bob" Ness	5th	Ted Winter	8th
Elaine Harder	4th	Bud Nornes	3rd	Ken Wolf	5th
Alice Hausman	7th	Mark Olson	5th	Tom Workman	5th
Debra Hilstrom	1st	Joe Opatz	5th		

Members by Term

15th	Irv Anderson* Lyndon R. Carlson Phyllis Kahn		Mark Holsten Thomas Huntley Arlon Lindner Carol L. Molnau Robert "Bob" Ness Mark Olson Joe Opatz Tim Pawlenty Jim Rhodes Alice Seagren Ken Wolf Tom Workman		Mary Ellen Otremba Michael Paymar Michelle Rifenberg Marty Seifert Doug Stang Kathy Tingelstad Ray Vandever Torrey Westrom
14th	Henry J. Kalis Tom Osthoff				
13th	Mike Jaros* Mary Murphy Wes Skoglund*				2nd
12th	Steve Sviggum				Jim Abeler Mark Buesgens George Cassell Dan Dorman Doug Fuller Chris Gerlach Mark S. Gleason Gregory Gray Mary Liz Holberg Larry Howes Ruth Johnson* Margaret Anderson Kelliher Dan Larson Ann Lenczewski Tim Mahoney Rod Skoe Nora Slawik* Dale Swapinski Andrew Westerberg Tim Wilkin
11th	Karen Clark	4th	Bruce Anderson Thomas (Tom) Bakk Lynda Boudreau Fran Bradley Roxann Daggett Matt Entenza Bob Gunther Bill Haas Elaine Harder Jim Knoblach Rob Leighton Harry Mares Sharon Marko Dan McElroy Richard Mulder Mike Osskopp Erik Paulsen Leslie J. Schumacher Rich Stanek Howard Swenson Barb Sykora John Tuma		
10th	Dave Bishop Loren A. Solberg				
9th	Loren Geo Jennings Bernie L. Lieder Dennis Ozment				
8th	Andy Dawkins John Dorn Bob Milbert Gene Pelowski, Jr. Tom Rukavina Jean Wagenius Ted Winter				
7th	Ron Abrams Alice Hausman Mary Jo McGuire Thomas W. Pugh				1st
6th	Gregory M. Davids Ron Erhardt Kevin Goodno Philip Krinkie Peggy Leppik Carlos Mariani Doug Peterson Steve Smith	3rd	Len Biernat James T. Clark Sondra Erickson Geri Evans* Betty Folliard Tom Hackbarth* Bill Hilty Al Juhnke Tony Kielkucki Luanne Koskinen Gary W. Kubly William Kuisle Joe Mullery Bud Nornes		Connie Bernardy Greg Blaine Jim Davnie D. Scott Dibble Rob Eastlund Barbara Goodwin Debra Hilstrom Carl Jacobson Jeff Johnson Sheldon Johnson John Jordan Eric Lipman Paul Marquart Maxine Penas Connie Ruth Anthony "Tony" Sertich Mark Thompson Neva Walker Dale Walz Scott Wasiluk
5th	Steve Dehler Jerry Dempsey Tim Finseth Mindy Greiling				

* - non-consecutive terms

Tracking new laws, vetoes

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

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

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

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

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

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

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27◆
315	3169	2881*	Housing; municipal low-income housing authority specified.	4/5	
316	3076	2612*	Funeral procession escort private vehicle authorized to use flashing red lights.	4/5	
317	3029	2680*	Energy building code requirements changed in certain instances.	4/5	
318	3058	2739*	Cities additional liquor licenses; hotel rooms liquor cabinets hours of sale restrictions exemption.	4/5	
319	2706*	3076	Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided.	4/5	
320	3030	3322*	Metropolitan Council existing service capacity external use provided.	4/8	
321	3034	2949*	Background check public criminal history data expanded.	4/8	
322	2841	2533*	Criminal offenders county correctional services costs payment.	4/8	
323	2684	2678*	Natural resources department provisions modifications.	4/8	
324	3432	3352*	Dry cleaner environmental response and reimbursement.	4/8	
325	3209	3054*	Petrofund consultant and contractor registration period modifications.	4/8	
326	3464	3174*	Money transmitters act small business category.	4/8	
327	1763	1811*	Public drainage systems jurisdiction transfer.	4/8	
328	1683	2150*	Technology circuits or systems contractors and power limited technicians.	4/8	
329	3125*	2987	Telecommunications access for communication-impaired persons program renamed.	4/8	
330	2988*	3023	Insurance licenses, fees, and coverages regulated; health care administration simplified; and technical modifications.	4/8	
331	3497	3015*	Commerce Department insurance fraud prevention; crime of employment of runners.	4/10	
332	2719*	2827	Uniform athlete agents act providing student athlete agent registration adopted.	4/10	

◆ - veto overridden by the Legislature

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

Monday, April 8

HF3713—Molnau (R) Governmental Operations & Veterans Affairs Policy

Teacher retirement additional benefit provided for teachers previously covered by the money purchase program.

Tuesday, April 9

HF3714—Opatz (DFL) Jobs & Economic Development Finance Fingerhut Companies, Inc.; employees extra un- employment benefits provided.

COMMITTEE SCHEDULE

APRIL 15 - 19, 2002

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 direct
your Web browser to :

<http://www3.house.mn/scripts/lyris.pl?join=houseschedule> and fill out the subscription form on the Legislature's Web site.
House committee schedules are also available on the Web site at
<http://www.house.mn/hinfo/schedule/index.htm>.

MONDAY, April 15

1 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, April 16 - FRIDAY, April 19

No meetings have been announced.



No solicitors

Minnesota not the only state to consider or implement 'do-not-call' lists

Consumers fed up with solicitors' calls can add their name to a "do-not-call" list — which restricts telemarketers from calling people in about half the states in the country.

Minnesota's do-not-call legislation, passed the House and awaits action in the Senate. It mimics laws in about 25 other states. Provisions vary from state to state, but telemarketers must be aware of regulations in each state where they do business, or they may face significant financial penalties.

Since January 2002, Texans have been able to add home or business numbers to one of two no-call lists for a price.

For a fee of \$2.25 every three years, someone can be added to the statewide do-not-call list, which applies to any telemarketer calling a Texas residential phone number. A second list, named the "electric no call list," prevents calls from retail electric providers and telemarketers calling about electric service for

a fee of \$2.55 every five years.

In Idaho, consumers are charged \$10 to be on the list for three years. Subscribers may register as many residential, mobile, and pager numbers as they wish. A three-year renewal costs \$5. Telemarketers share the cost, contributing \$300 over three years to purchase the list plus quarterly updates.

Idaho's costs take care of administrative work, creating and maintaining a database, as well as costs associated with investigating complaints. "The result of the user fee approach is that the people who benefit from this optional service will pay for it," the state's Web site offers as an explanation to why no taxes were imposed for the service.

Solicitors must pay \$500 annually to obtain Tennessee's do-not-call list, which has been in effect since July 2000. The program is free to residential telephone customers,

and is for home numbers only. Violators can be charged a civil penalty of up to \$2,000.

Since Missouri's no call list law became effective in July 2001, Attorney General Jeremiah Nixon has filed lawsuits against several telemarketers, according to its Web site. Violators face up to \$5,000 in fines for each call.

Here are some of the cases: In October 2001, 17 telemarketers were ordered to pay \$162,500 for violating Missouri's no call law; in August 2001 a nationally known alarm system company was sued for repeated violations; in January 2002, a Springfield travel agency was sued, and 10 telemarketers paid \$50,000 for violations.

One eye-catching case involved television-ad psychic Miss Cleo who was ordered to pay \$75,000 for calling Missourians after receiving a warning from Nixon. Said Nixon, "She should have seen this coming."

(T. STAHL)

Minnesota Memorials



Spanish-American War plaque

Minnesota was the first state to clarify inaccurate information on its memorial to soldiers serving in the Philippines during the Spanish-American War. A new plaque, placed near the previous memorial, was unveiled Feb. 4, 2002.

The authorization for the new plaque passed the House three years ago this week.

For eight years the Philippine Study Group of Minnesota sought the addition below the first plaque, which will remain. The Minnesota Filipino community viewed the initial plaque as inaccurate and racially insensitive. It was placed in the Capitol in 1948.

The memorial honors the 13th Minnesota Volunteer infantry regiment, sent in 1898 to fight the Spanish in the Philippines. However, Americans actually ended up fighting the Filipinos, who were seeking independence from Spanish rule. The Spaniards had relented by the time the Minnesota regiment arrived, and they granted control of the Philippines to the United States.

But the Filipinos continued to fight for full independence. One war account estimates that 220,000 Filipinos and 4,000 Americans died in the war, which lasted from 1898 to 1902.

U.S. troops ultimately prevailed in the conflict and maintained control of the Philippines until independence was granted in 1946 after World War II.

Designed by Ann Klefstad, a Duluth artist, the new plaque avoids prior language offensive to Filipinos, and corrects historical inaccuracies. The original plaque referred to Philippine soldiers as “insurgents,” when they were actually fighting for the independence of their homeland and the ability to govern themselves. Critics of the original plaque also suggested the reference to Philippine President Emilio Aguinaldo as “Chief Aguinaldo” was offensive.

In addition to the study group, the Capitol Area Architectural Planning Board, the Minnesota Historical Society, and the state Department of Administration were involved in planning the addition to the memorial, using a \$10,000 appropriation from the 1999 Legislature.

Complaints about similar plaques have been lodged in California, Illinois, and other states.

(M. Cook)

Reflections

About this time during the second year of a biennium, members, staff, and lobbyists wait for House and Senate leaders and conferees to reach tough decisions on what to include in the state’s budget package.

A plan for them as they wait could be to refresh their memories about the Capitol building.

All around them, they could study the painstaking lengths that architect Cass Gilbert took to provide a workplace for lawmakers to reflect upon. In doing so, they could appreciate past history and how it directs history in the making.

When Gilbert designed the State Capitol, he was not satisfied to erect just another meeting place and office building. He chose to plan and oversee construction of an edifice that was functional, the heart of civic life, and a timeless center of government, both inside and out.

Gilbert accomplished his goal, and then some. He completed the exterior and interior of the building by personally directing every detail of its construction to ensure that the citizens of Minnesota would have a lasting trophy that exemplified all their attributes and showcased what the state represents.

Not only did the architect design the furniture, he hired the top artists of the American Renaissance movement to highlight the Capitol walls. Elmer E. Garnsey, who decorated the U.S. Supreme Court, became Gilbert’s chief interior decorator for the masterpiece.

As members vote on bills and wait for a final budget compromise, they might spend some time reflecting on the extraordinary artwork and ornaments placed high

above them in the House chamber that give a unique and restful tone to the Capitol’s largest room.

During this session’s brief pauses in budget activity, lobbyists crowd the hallways and balconies of the “Grand Floor” where both the House and Senate chambers are located. As they sit on ornate antique benches designed by Gilbert, lobbyists are uniquely connecting with the glorious creation of functional furniture and space that lend a stately air to the marble column vistas of the second floor.

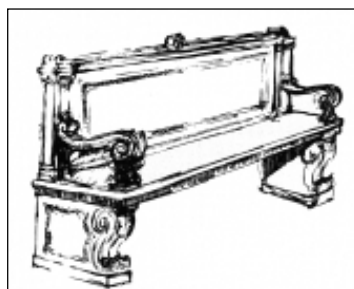


Photo courtesy of North Star Statehouse by Thomas O’Sullivan.

A Cass Gilbert drawing for one of the State Capitol benches.

Although the desks in the House chamber have been refurbished and restored, Gilbert’s hallway benches, art ornaments, and basic design remain as they were initially perceived.

Benches on the second floor are made of thick English oak slabs with contrasting wood inlays. Specifically, the benches were minutely

detailed in 1903 by Gilbert to include carved scroll and leaf motifs with richly carved backs.

Gilbert placed another 14 benches on the first floor for visitors. The benches are made of attractive white oak, but they are not as ornate. The first floor benches are more unassuming, but do have similar motifs as those one floor above.

The architect was so thorough with the Capitol that, according to Thomas O’Sullivan in *North Star Statehouse*, “Gilbert even sought special colors, metal switchplates and rubber spittoons to harmonize these essentials with a grand scheme.”

—LECLAIR GRIER LAMBERT

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

MINNESOTA INDEX

Smoking statistics

Percentage of Minnesotans age 18 and older who smoke cigarettes, 2001	20
National percentage	22.7
State percentage in 1985	27.8
In 1995	20.5
Percentage of adult men who smoke, 2001	53
Women	46
Smokers with at least some college education, as percent	52
Adults in the state that have never smoked, as percent	54
Average number of cigarettes puffed by a Minnesota smoker each day	15
Percentage of smokers that take their first drag within 30 minutes of waking	46
Within 5 minutes	17
Estimated number of Minnesota teens that become new daily smokers each year	15,000
Percentage of high school students that are smokers	32.4
Percentage of those who tried to quit in previous year	61
Percentage of Minnesota adult smokers that have made at least one attempt to quit in the previous year	46
Of those, percentage making multiple attempts	76
Those making six or more attempts	25
Percentage planning to quit in the next six months	43
Those planning to quit in the next month who have also tried quitting recently, as percent	20
Percentage of the estimated 47 million adult smokers in the United States that want to quit	70
Percentage able to do so annually	2.5
Light state smokers (fewer than 15 cigarettes daily) who are strongly confident they could quit smoking permanently if they want to, as percent	53
Percentage of heavy smokers (25 or more cigarettes daily)	22
Smokers listing physical cravings or feelings of withdrawal as barrier to quitting, as percent	67
Risk of weight gain	32
Former smokers who quit within three previous years that used a product or service for assistance	28
Percentage of current smokers that tried to quit in previous year using assistance in their latest attempt	36
Smokers, as a percent, that would use a nicotine patch "if cost were not an issue"	75
Approximate percentage of annual Minnesota deaths related to smoking	17
Minnesota adults using other forms of tobacco, as percent	4

Sources: *Quitting Smoking: Nicotine Addiction in Minnesota*, Minnesota Department of Health, Minnesota Partnership for Action Against Tobacco, and Blue Cross and Blue Shield of Minnesota, July 2001; Campaign for Tobacco-Free Kids; American Lung Association.

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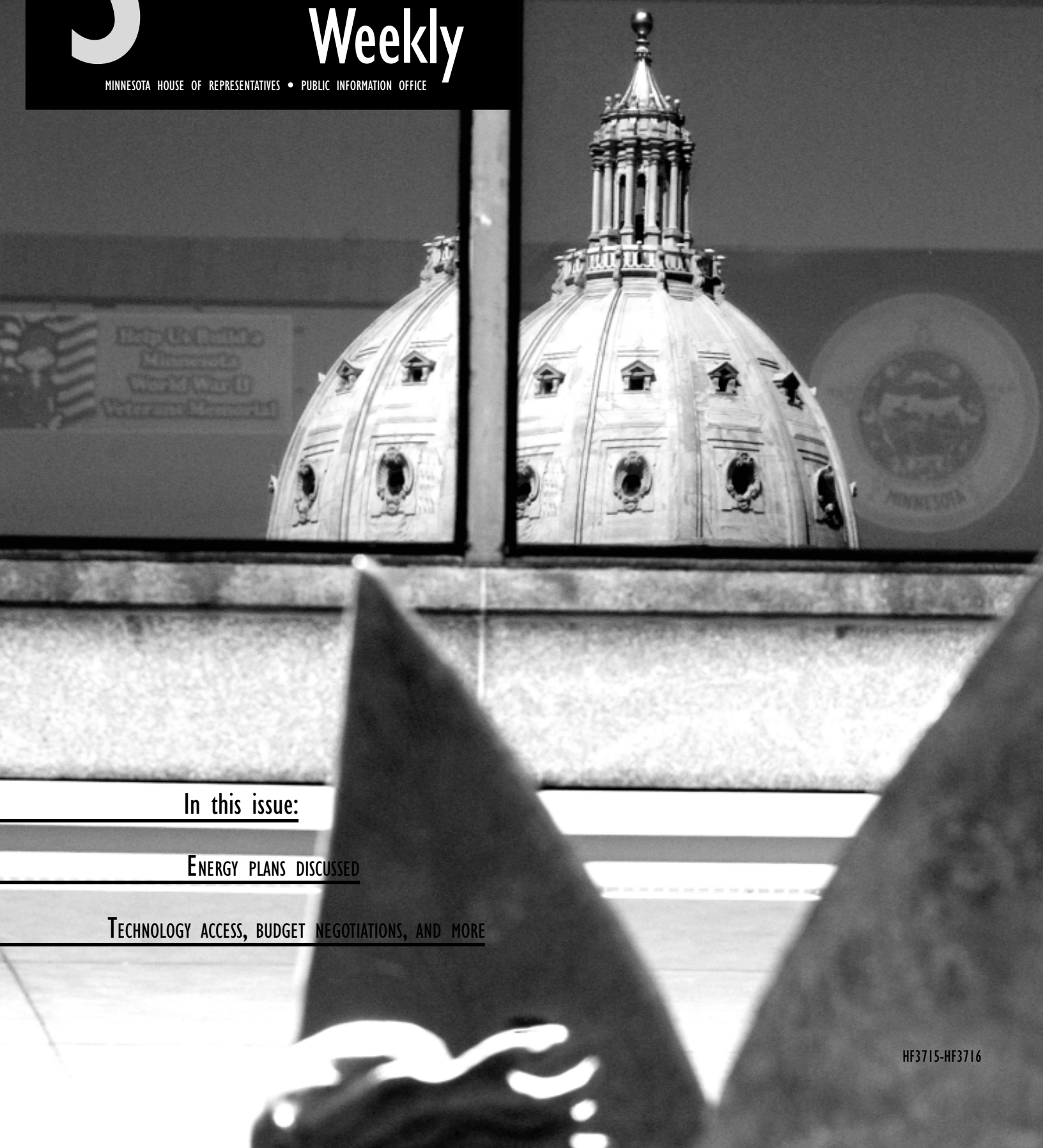
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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

APRIL 19, 2002
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In this issue:

ENERGY PLANS DISCUSSED

TECHNOLOGY ACCESS, BUDGET NEGOTIATIONS, AND MORE

HF3715-HF3716

Session Weekly

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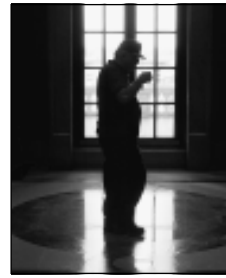
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On the cover: The State Capitol is reflected in a window of the Veteran's Administration Building to create an abstract and fragmented image.

—Photo by Andrew Von Bank

Budget stalemate

House, Senate conferees submit balancing proposals only to have them rejected by the other side

By DAVID MAEDA

Phase one of the budget reconciliation law was supported by enough members to pass both bodies twice and with the two-thirds vote necessary to override Gov. Jesse Ventura's veto.

Agreement on addressing the remaining \$439 million budget shortfall and how much of a projected \$1.3 billion deficit in 2004-2005 to deal with has been more elusive.

During the second week in April, House and Senate conferees have exchanged offers, but members of the conference committee say none have been significant enough to get closer to an agreement.

Even more difficult is crafting a final product that will receive enough votes to withstand another Ventura veto.

Rep. Kevin Goodno (R-Moorhead), a conference committee co-chair, said House conferees remain opposed to any new taxes and additional extensions of welfare timelines.

His counterpart, Sen. Doug Johnson (DFL-Tower), said the Senate remains firm that cuts in health and human services not be too

severe, and the state's budget reserves be replenished to a satisfactory level.

Entering the conference committee process, the Senate proposed an increase in the excise tax on cigarettes by 30 cents per pack beginning May 1 and an additional 30 cents beginning Jan. 1, 2003. The tax would be indexed to annual inflation rates beginning in 2004.

The Senate proposal includes a plan to convert \$245 million in planned spending for road improvements from cash to bonds.

An education provision would create a one-time savings to the state's general fund of \$312 million by changing the education aid payment formula. Under current law, payments are made on a 90 percent current year and 10 percent following year system. The Senate proposed changing the formula to an 85-15 system.

The initial House proposal would transfer \$325 million from the tobacco endowment fund and cut spending in a variety of areas, including about \$38.9 million in state government funding.

The largest cuts would come in health and human services, including \$61.6 million from

Legislature adjourned early in 1986 with budget unresolved

Members of the House, restless because budget-balancing legislation remains unresolved, have suggested the House should recess until an agreement is reached. Some have even said the House should adjourn for the year and leave the cuts up to the governor.

Such a move is not unprecedented in House history. In fact, that's just what House leaders did in 1986.

When a budget impasse prompted the Independent-Republican controlled House to pack up and head home for the year officially on March 17, 1986, the adjournment sparked a constitutional debate over whether one body can vote to end the session without the other's consent.

At issue was a \$384 million budget deficit and quarrel between the House and the DFL-controlled Senate about proposed cuts to the state's welfare program. The Independent-Republicans wanted a 30 percent cut in aid — a move opposed by Senate DFLers who countered with a plan for much smaller cuts.

Seeing no compromise in sight, House Speaker David Jennings (IR-Truman) said it was more responsible to adjourn sine die (Latin for without a date certain, signaling the end of a two-year session) than to have "201 people sitting around drawing per diem waiting for five senators to come to their senses."

His remarks in a newspaper report continued: "What this boils down to is we have offered compromise on critical points. The Senate has said 'no, no, no.'"

The motion to adjourn passed 68-26 in an early-morning vote, largely along party lines with many House DFL lawmakers voicing protest.

The move prompted DFL Gov. Rudy Perpich to label Jennings "arrogant."

Perpich called the Legislature back in special session on April 2 to resolve the budget deficit.

Senate Majority Leader Roger Moe (DFL-Erskine) called the House's decision to head home "absolutely irresponsible," arguing that conference committees were making progress toward a compromise.

The Senate adjourned three days after the House, but the motion was "subject to any court determination" on the constitutionality of the House adjournment.

Attorney General Hubert H. Humphrey III issued an advisory opinion arguing the House might have adjourned illegally because it failed to get consent from the Senate. The issue was not challenged in court.

Article IV, section 12, of the state Constitution, states that "neither house during a session of the Legislature shall adjourn for more than three days (Sundays excepted) nor to any other place than that in which the two houses shall be assembled without the consent of the other house."

(S. MCKENZIE)



PHOTO BY TOM OLMSCHIED

Members of the House-Senate budget reconciliation conference committee listen to a proposal April 12. The offer was one of many given by House and Senate conferees in an attempt to resolve the state's remaining projected budget deficit.



state services. Proposed adjustments include limiting General Assistance and Emergency General Assistance payments, consolidating the General Assistance Medical Care program into MinnesotaCare, and repealing an expansion of the number of children covered by the state's Medical Assistance program set to take effect July 1.

The initial offers reflected the House position of no new taxes and the Senate position of funding health and human services.

"There is no way 45 senators will vote for the mean and cruel cuts to Minnesota's most vulnerable citizens," Johnson said.

Goodno said the House focused its cuts on programs in need of examination and reform.

"The most vulnerable people we're taking care of. These were not just willy-nilly changes," he said.

While maintaining its cigarette tax increase, the Senate offered April 11 to remove a provision increasing corporate taxes.

The House countered with an April 12 offer reducing the cuts to health and human services to \$46.3 million in the current biennium and \$201 million in 2004-2005. The House proposed restoring \$3.4 million for state operated services including \$1.4 million to prevent closing the Fergus Falls Regional Treatment Center.

Rep. Philip Krinkie (R-Shoreview) was critical of the Senate proposal to raise taxes. Noting that government spending has increased at significant rates during the past four years, he found it difficult to believe that it would require increasing taxes, rather than reducing spending, to address the problem.

Johnson said the House's budget proposals contain tax increases. He said that without adequate funding for education and health and human services, the cuts would result in local property tax increases.

The latest House offer made April 16 would compromise on the Senate's proposed change to the education payment formula by going to an 87 percent first year, 13 percent second-

Continued on page 22

Clarification

In the April 12 issue of *Session Weekly*, a story about the distribution of tobacco endowment funds suggested that the Minnesota Partnership for Action Against Tobacco and Blue Cross/Blue Shield of Minnesota received funds from the endowment.

In fact, those two groups received funds directly from the settlement of the lawsuit, not the endowment. The endowment funds are a portion of the settlement specifically set aside for prevention efforts.

We regret any misunderstanding this may have caused.

From the Great Lakes to the Gulf

1887 resolution endorsed canal linking Lake Superior and the Mississippi River

In the early days of statehood, Minnesota's commercial development was propelled by a natural system of navigable waterways.

Although railroads were fast becoming the dominant mode of transportation by the 1870s, lawmakers had not abandoned water transport.

The 1874 Legislature proposed an intriguing civil engineering feat — the construction of a canal between Lake Superior and the Mississippi River, an idea hatched by the territorial legislature. The 1887 Legislature later urged Congress to chart the best route between the two bodies of water.

"The saving of distance through a canal connecting Lake Superior waters with the Saint Croix River would tend to open an immense trade, and result in carrying the agricultural surplus products of the Upper Mississippi Valley to eastern and European markets without transferring or breaking bulk," lawmakers wrote. "America's great inland seas, and the Mississippi River must be connected."

Subsequently, the federal government ordered the U.S. Army Corps of Engineers to chart the proposed waterway.

A 1909 letter to Congress from Secretary of War J.M. Dickinson, who also was the head of the Corps, reported the findings of Minnesota district engineers as to "whether existing conditions render such project now feasible and practicable, considering the necessary location, plans, cost of construction and maintenance, commerce affected, and water supply."

Various routes along the Nemadji, Kettle, Rum, and Snake rivers were considered, but ultimately a 210-mile canal between Allouez Bay on the Wisconsin side of the Duluth-Superior harbor via the Brule River to the St. Croix River was selected as the most favorable course.

Estimates put the cost of the channel at nearly \$8 million for construction and \$420,000 for annual maintenance and operation.

This would not have been the first waterway to connect a great lake with the Gulf. Illinois had dredged a 96-mile channel from

Lake Michigan in 1848 at the cost of around \$6 million and there was a second connection in Wisconsin, but the report found that by 1909 commerce on those waterways was greatly diminished.

Engineers questioned the commercial viability of Minnesota's proposed canal.

It would take six days under favorable conditions to complete a trip, they estimated, and barge traffic would be stymied by winter and face stiff competition from freight trains that could travel from Duluth to St. Paul in 10.5 hours.

Nevertheless, local business interests and citizens along the route were overwhelmingly in favor of the project.

"The value...is so self-evident that Congress must 'sit up and take notice,'" read a *Stillwater Daily Gazette* editorial from May 26, 1909.

In addition to potential economic benefits, proponents maintained that a canal would increase hydroelectric power generation in the region and bolster flood mitigation efforts.

"The more canals wisely planned, the better for the country they reach; the better also for the ports they leave," read a *Duluth Daily Star* editorial dated May 7, 1909. "Bring on your canal."

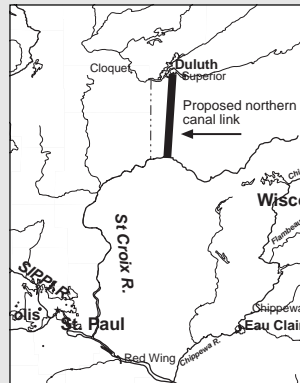
Conversely, railroad interests had obvious competitive reasons to oppose the canal and the report suggested that grain, coal, and lumber dealers also dismissed the idea.

"These business men, keen to scent of profit, would be apt to disregard even the cost of construction and maintenance of such a canal if the outlook for a saving in freight rates were promising, yet all of them oppose the canal as a useless waste of government money."

Ultimately, the report concluded that "while existing conditions render such a project practicable, from an engineering point of view, it is commercially impracticable, and that it is not now advisable for the general government to undertake the work."

A joint Minnesota-Wisconsin canal commissioner later failed to reverse the decision.

(N. Wood)



★ **BANKING****New credit union laws****Signed
by
the
governor
★ ★ ★**

Laws governing state credit unions will be up to par with those regulating their federal counterparts, under a new law signed by Gov. Jesse Ventura April 16.

The new law will allow state-chartered credit unions to assess fees for its member services and impose late charges for missed payments.

The number of people in a group that can join an existing credit union will be lowered. This may be a disadvantage to credit unions, which would rather expand existing locations than add new ones.

State-chartered credit unions have slowly been converting to federally chartered credit unions, which has resulted in a loss of state tax revenue. Rep. Doug Stang (R-Cold Spring), the House sponsor, said he believes the new law will be enough incentive to keep state-chartered credit unions from converting.

The new law is effective Aug. 1, 2002.

The law passed in the House April 4 on a 109-22 vote, and in the Senate April 9 on a 52-0 vote. The Senate sponsor is Sen. Don Samuelson (DFL-Brainerd).

HF2751/SF2650*/CH339

★ **BUSINESS****Ergonomics standards**

Minnesota businesses may soon have to abide by new state health and safety standards in an effort to prevent work-related injuries.

The legislation is part of the Senate jobs and economic development omnibus bill (HF3648/SF3431*), which was discussed April 17 by a House-Senate conference committee. The original ergonomics legislation never received a House hearing.

"I really believe we could save the state some money and keep workers employed," said Sen. Julie Sabo (DFL-Mpls), sponsor of the original Senate bill (SF2514).

The state Department of Labor and Industry would have the authority to enforce the standards, considered a step up from guidelines. There is no cost attached to the provision, and possible creation and enforcement expenses were not discussed at the meeting.

Representatives of the business community testified against the legislation, stating it would

incur additional costs, such as purchasing ergonomically correct work stations, that some small-business owners may not be able to afford.

Rep. Bob Gunther (R-Fairmont), a grocery store owner, said that many businesses already take steps to ensure worker safety.

"You can't afford as a businessperson in the private sector not to try to prevent injuries," he said.

The occupational safety and health standard would regulate "workplace ergonomic hazards ... to prevent work-related musculoskeletal disorders," the bill says. One such disorder is repetitive stress injury, often caused by extensive keyboard and computer use.

The standard, which would be developed by the department by June 30, 2004, would address awkward postures; repetitive motion; repeated impacts; and heavy, frequent, or awkward lifting.

Tom Hesse, director of labor management policy for the Minnesota Chamber of Commerce, spoke against the legislation, saying that the Occupational Safety and Health Administration's standards were sufficient to be applied nationwide so that states would not need additional regulations.

"I don't think Minnesota should deviate from that," he said.

Hesse also pointed out that if multi-state employers want to adopt an ergonomics program, they should not have to comply with different standards for each state.

The conference committee made no final decision on the provision at the meeting.

★ **CHILDREN****Home swimming pools****Signed
by
the
governor
★ ★ ★**

Family daycare providers will be allowed to let children they care for use their swimming pools, provided they meet a host of safety requirements, under a new law.

Gov. Jesse Ventura signed the measure April 12, and it will take effect Aug. 1, 2002. The new law exempts family daycare facilities from the state's public pool regulations.

The House passed the bill 108-20 on March 19, but the Senate amended the measure and passed it 63-0 on April 3. The House voted 106-16 April 8 to agree with the changes.

Under the new law, daycare providers must notify the county before children initially start swimming in the pool and annually

thereafter. A child's parents or legal guardian must provide written consent after reading state-prepared material on the health risks associated with swimming pools.

The daycare provider must also complete a swimming pool training operator course once every five years.

Additionally, an individual trained in CPR and first aid must attend the swimming pool when children are using the pool.

Daycare providers will be exempt from liability unless they fail to meet the state's licensing standards.

Rep. Tim Wilkin (R-Eagan) and Sen. Deanna Wiener (DFL-Eagan) sponsored the law.

HF1517*/SF1443/CH333

★ **CRIME****Temporary driver's licenses****Signed
by
the
governor
★ ★ ★**

Those who have lost their driver's licenses because of failure to pay child support may soon have a chance to receive a temporary license.

Gov. Jesse Ventura signed a new law April 17 that will grant a 90-day license to people more than three months behind in child support payments if the person needs a license to get to a job, go to a chemical dependency program, or attend post-secondary classes.

Homemakers who need a license to prevent disrupting their education, medical, or nutritional needs, or the needs of their family will also be eligible for a temporary license.

Effective July 1, 2002, the law provides \$95,000 from the trunk highway fund to the commissioner of public safety to pay for the cost of the temporary licenses.

Furthermore, the law makes some technical and clarifying changes to current law regarding payment agreements, and modifies the medical support law so it complies with federal requirements.

Driver's licenses are currently taken away from people who are more than three months behind in child support payments and have not made arrangements to pay.

The measure passed the House April 9 by a 124-8 vote, and the Senate 54-2 April 11.

During a Feb. 20 House Civil Law Committee hearing, Rep. Lynda Boudreau (R-Faribault), the House sponsor, said the change makes sense because people who owe child support have a hard time paying if they can't get to work.

The one-time license will expire after 90 days and cannot be renewed. Drivers who lose their license will still be required to pay a \$20 fee before their license is reinstated.

Sen. Thomas Neuville (R-Northfield) is the Senate sponsor.
HF3393/SF3114*/CH344

Updated penalties

A bill designed to discourage activist groups from taking public responsibility for crimes passed the House 119-8 on April 15.

The bill (HF3048/SF2460*) would make it a gross misdemeanor for people to assume responsibility for crimes they did not commit in order to impede or prevent a criminal investigation.

It would also allow those who destroy crops, animals, or other organisms used for research to be liable for up to three times the amount of the value of the damage, including the estimated value of the research related to the organisms or items destroyed.

A \$100,000 fine could also be assessed to compensate for any delays in research resulting from the crime.

Rep. Tom Workman (R-Chanhassen), the House sponsor, said the bill is aimed at groups such as the Earth Liberation Front.

That group took credit for millions of dollars worth of damage when a January fire damaged a lab and destroyed a construction trailer at the University of Minnesota's Microbial and Plant Genomics Research Center that is under construction on the St. Paul campus.

According to its Web site, the Earth Liberation Front takes responsibility for "the setting of incendiary devices" at the site, and claims responsibility for other criminal activities, as well.

Some representatives said the bill was too broad and could leave anyone who donates money to an organization liable for damages if the organization's spokesperson takes responsibility for a crime.

Workman and others disagreed, saying if an individual takes responsibility for the crime, only that person could be charged.

The amended bill was repassed by the Senate 57-0 on April 18. Sponsored in the Senate by Sen. Dave Kleis (R-St. Cloud), the bill now goes to the governor.

★ EDUCATION

Eliminating the Profile

The Profile of Learning — a central feature of the state's graduation standards derided by lawmakers for being too bureaucratic — would essentially be history, under a bill passed April 18 by the House.

RAY OF LIGHT



PHOTO BY TOM OLMSCHIED

Rep. Jim Davnie, right, talks with Cap O'Rourke on the third floor of the Capitol after an April 15 power outage darkened the building. The House recessed for about 30 minutes until power was restored.

Members approved an amendment offered by House Majority Leader Tim Pawlenty (R-Eagan) and Rep. Gene Pelowski, Jr. (DFL-Winona) that would bar the commissioner of the Department of Children, Families and Learning from implementing the Profile of Learning portion of the state's results-oriented graduation rule.

The amendment, attached to a bill (HF2625/SF3133*) limiting the health commissioner's rule-making authority related to the state's Clean Indoor Air Act, passed on 109-22 vote. It would not apply to the state's basic skills tests.

Overall, the bill, sponsored by Rep. Marty Seifert (R-Marshall), cleared the floor on a 110-23 vote. During a previous floor debate on the measure, the House attached an amendment to the bill offered by Rep. Mary Ellen Otremba (DFL-Long Prairie) that broadened the bill's scope to place checks on the rulemaking authority of all state agencies.

House members on both sides of the aisle spent more than two hours criticizing the Profile of Learning on the floor, arguing that it has hamstrung teachers and eliminated rigor from school curriculums.

"The Profile of Learning is suffocating education," said Pawlenty, who pointed to an *Education Weekly* report that gave Minnesota's graduation standards a 'D minus'.

Pelowski, a high school teacher at Winona Senior High School, said the graduation standards, which call for more qualitative assessments of students' skills than traditional tests, have turned Minnesota's public education

system into a top-down bureaucracy.

He likened reforming the Profile of Learning to carving up a "beached whale with a tiny knife."

Speaking against the amendment, Rep. Mindy Greiling (DFL-Roseville) argued that lawmakers should have brought forward an education bill reforming the system. She said the Profile of Learning is a "mile wide and an inch deep" and lawmakers need to scale back the program.

Greiling called the measure a "dead-end amendment" in the "dog days" of the session.

The bill now goes back to the Senate where Sen. Dan Stevens (R-Mora) is the sponsor.

Commission to become nonprofit

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governor
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A new law will convert the Minnesota Commission on National and Community Service to a nonprofit corporation, which will allow the organization to be more entrepreneurial, its advocates say.

The new law, signed by Gov. Jesse Ventura April 12, removes the commission from state oversight, providing more opportunity for it to engage the private sector in fundraising and to take advantage of new federal dollars.

The commission, which administers the Youth Works and federal AmeriCorps programs, was constrained by a hiring freeze in the Department of Children, Families and Learning. The commission was unable to

accept additional funds for AmeriCorps because they couldn't hire the staff to administer them, according to Rep. Andy Dawkins (DFL-St. Paul), the House sponsor and a commission board member.

In recent years, "they have become a more entrepreneurial board, going after private dollars," he said, and the private entities are "not as willing to fund government programs as much."

"We needed to be in a place where we could grow," said Audrey Suker, executive director of the commission. She said the organization's job is to make sure Minnesota sees benefits of the program.

Suker said the commission is excited about its "reinvention," which was a unanimous decision by the board. The commission is not increasing board members, she added, but more people may serve on its committees.

"It makes a lot of common sense to do this," Rep. Alice Seagren (R-Bloomington), said on the House floor April 8, where the bill passed 128-4. Seagren is chair of the House K-12 Education Finance Committee.

"Students and kids need this help to get on with their lives."

The new law relieves the commissioner of the Department of Children, Families and Learning of oversight responsibilities; however, the commissioner will still be a board member.

The nonprofit corporation will be subject to the data practices act, open meeting laws, and the legislative auditor's jurisdiction.

Most sections of the new law are effective the day after the commission certifies it is a nonprofit corporation.

The Senate passed the legislation 65-0 on March 20. The Senate sponsor is Sen. Steve Kelley (DFL-Hopkins).

HF2835/SF3028*/CH334

ELECTIONS

Campaign finance board

The House gave its approval April 15 to two nominees to the state's Campaign Finance and Public Disclosure Board.

The board is responsible for administering registration, disclosure, and enforcement programs to ensure that the state's government ethics laws are met. The board also provides financial information about public officials to the populace.

Gov. Jesse Ventura's two nominees come from Greater Minnesota. Last year while recommending confirmation of four candidates, all of whom were from the Twin Cities metropolitan area, House members expressed

concern about having rural representation on the board.

One of this year's nominees, Susan Stevens Chambers, is an attorney from Mankato who serves as the city attorney for Good Thunder. She has served on the board of directors of the Blue Earth County Historical Society, as well as being the president of the League of Minnesota Poets.

Ventura nominated Chambers to replace Shirley Chase who resigned last September to become the commissioner of the Department of Labor and Industry.

The other nominee, Clyde Miller, is an attorney from Cambridge. He ran an unsuccessful campaign in 2000 as a member of the Independence Party for the House seat occupied by Rep. Rob Eastlund (R-Isanti).

He has served as a supervisor for Cambridge Township and was a member of the governor's Citizen's League Task Force on Property Tax Reform.

Miller would replace Donald Roggenbauer whose four-year term expired in January.

The nominees now must have their nominations approved by the Senate.

EMPLOYMENT

House passes jobs bill

The House passed the jobs and economic development finance omnibus bill April 11, but the final version of the bill is still being debated in a House-Senate conference committee.

The House version would allocate new money only for unemployment benefits, as the Legislature, in separate legislation, continues to look for ways to cut the budget.

The bill (HF3648/SF3431*) would grant extra unemployment benefits to former Farmland Foods workers in Albert Lea, whose plant burned down in July 2001. The bill also makes housekeeping changes to state agencies, among other minor revisions.

The bill was amended by its sponsor, Rep. Dan McElroy (R-Burnsville), to provide extra unemployment benefits for employees that were part of a large layoff in rural areas. Workers eligible for the benefits would be those who lost their jobs permanently after Sept. 1, 2001 from a company that laid off at least 500 people.

The layoff would have had to raise the unemployment rate in the county to a rate higher than the state average. The benefits, up to 13 additional weeks, would be available for collection in 2003.

Much of the floor discussion revolved around unsuccessful amendments that would

grant extra unemployment benefits to workers in the Twin Cities metropolitan area.

"It helps a lot of people who have been hurt by this downturned economy," said Rep. Dan Larson (DFL-Bloomington), sponsor of an amendment that would have granted airline workers additional benefits.

"In many cases these are folks that aren't going to be called back," he said. "They have a highly trained skill that is not marketable."

McElroy said the unemployment rate in the metropolitan area is the lowest in the state, plus most of the workers qualify for the federal 13-week extension of unemployment benefits. He added that never in the past 75 years have extra unemployment benefits been granted to workers in the Twin Cities metropolitan area, and that no other state has extended benefits for airline workers.

Another unsuccessful amendment, proposed by Rep. Tom Rukavina (DFL-Virginia), would have cost \$147 million to ensure that people who don't qualify for state or federal extensions receive extra unemployment benefits.

McElroy said in the short-term the legislation would be good, but in the long term it would cost tens or hundreds of thousands of jobs because companies would pass along the extra costs in higher prices or lower wages.

ENVIRONMENT

Phosphorus fertilizer restrictions

A bill restricting the use of phosphorus-based lawn fertilizers is on its way to the governor's desk.

The House passed a conference committee report on the measure (HF1524/SF1555*) by a 115-14 vote April 15. The Senate passed the measure 58-1 on April 8.

The bill would ban the application of phosphorus on grass in the seven-county Twin Cities metropolitan area unless a soil test determines there is not enough of the nutrient present and replenishment is needed. Golf courses treated by licensed professionals would be exempt.

In Greater Minnesota, the use of phosphorus in granular fertilizers would be limited to 3 percent. In liquid fertilizer, a maximum 0.3 pounds of phosphate per 1,000 square feet would be allowed.

The restrictions would take effect Jan. 1, 2004.

The use of phosphorus-based fertilizer for agriculture applications would not be restricted under the bill, effective the day after enactment.

Overuse of the nutrient has been linked to algae blooms that have been shown to choke other aquatic plant life in water bodies.

Rep. Peggy Leppik (R-Golden Valley), the House sponsor, said the genesis of the bill came

from local governments increasingly confused by a “patchwork of local ordinances” related to phosphorus. She said conferees didn’t make substantive changes to the bill but added clarifying language to make sure it reflected legislative intent. Sen. Linda Higgins (DFL-Mpls) sponsors the Senate version of the bill.

Speaking in opposition to the bill, Rep. Mark Buesgens (R-Jordan) said the Legislature should leave regulating phosphorus to local communities.

“I believe this is a local issue,” Buesgens said. “We shouldn’t be dabbling in everything under the sun.”

Another bill opponent, Rep. Dan Dorman (R-Albert Lea), questioned its effectiveness and asked why it didn’t target grass clippings — a significant source of phosphorus pollution in water bodies.

Local units of government would be allowed to adopt restrictions on the sale of phosphorus-based fertilizer until Aug. 1, 2002.

Ordinances restricting use of phosphorus for agriculture purposes would be preempted as of that day.

The bill would also ban the application of fertilizer on “impervious surfaces,” such as highways, streets, or sidewalks.

Those found in violation of phosphorus-use regulation would be cited with a petty misdemeanor.

FAMILY

Postnuptial agreements

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governor**
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A new law signed April 16 by Gov. Jesse Ventura will allow more married couples to enter into postnuptial agreements.

Effective Aug. 1, 2002, the new law will permit couples to enter into pacts regarding who has rights to what property no matter how many assets the couple has.

Current law requires each spouse to have at least \$1.2 million in assets before a postnuptial agreement can be entered into.

The change will also allow an exception to current law that states a postnuptial agreement is not valid if either spouse files for divorce or legal separation within two years of the execution of the postnuptial agreement.

The new law states that a postnuptial agreement is presumed to be unenforceable in such cases, but it allows for exceptions if the spouse who wants the divorce or separation can establish that the settlement is fair.

Sponsored by Rep. Rob Leighton (DFL-Austin) and Sen. David Knutson (R-Burnsville), the Senate passed the measure 63-0 on March 12 and the House passed it 133-0 on April 9.

HF3455/SF3380*/CH338

★ GAME & FISH

ATV study

House and Senate conferees reached a compromise April 16 on an omnibus game and fish bill, adopting a report that includes a provision calling for a task force to study all-terrain vehicle use in the state.

The Senate-passed version of the bill (HF2920/SF2674*) originally had language that would have banned cross-country ATV

travel in state forests after the state designates 2,000 miles of trails. It would have also required the Department of Natural Resources to close trails to ATVs and other off-road vehicles for up to 30 days when conditions make trails vulnerable to environmental damage.

The task force proposed by Rep. Dennis Ozment (R-Rosemount), the House sponsor, would include a number of stakeholders — representatives of off-highway vehicle users, forest users who don’t use motorized vehicles, forest land managers, and the DNR, among others.

It would require the group to review and make recommendations to the Legislature on the location and length of motorized trails in state forests and monitoring and enforcement guidelines by Jan. 15, 2003.

Ray Bohn, representing the All-Terrain Vehicle Association of Minnesota, said the group supports the task force, calling it a good way to reach a compromise.

Representatives of the environmental groups, the Sierra Club and the Minnesota Audubon Society, said they also backed the proposed study.

“A task force seems like the logical next step,” said Susan Solterman, public policy director for the Minnesota Audubon Society. “It seems inclusive.”

The House agreed to send another bill related to all-terrain vehicles to a conference committee April 15 to work out the differences.

The House-passed version of the bill (HF2970*/SF3010), sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. LeRoy Stumpf (DFL-Thief River Falls), would ban cross-country ATV travel for non-hunters in state forests. It would also appropriate \$1.2 million to trail maintenance and monitoring activities.

Among other things, the game and fish bill would also allow limited prairie chicken hunting and ban recreational shining in motor vehicles — an activity where people use car headlights to spot deer. It would also ban shining of livestock and poultry on lands posted with signs prohibiting the activity.

Duck hunters would also be prohibited from using motorized duck decoys at the beginning of the duck-hunting season — specifically the opening day through the Saturday nearest Oct. 8.

Sen. Doug Johnson (DFL-Tower), who offered an amendment to impose a total ban on the duck decoys, has argued the fake ducks compromise “fair chase.”

The conference committee report now goes back to the Senate and House floors.

CAPITOL VISITOR



PHOTO BY TOM OLMSCHIED

With coffee in hand, George Smithanson makes his way past a sun-filled window on the second floor near the Capitol Rotunda, during an April 12 visit.

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

★ HEALTH

Dentist disclosure

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A new law will require that the Minnesota Board of Dentistry be informed of dental professionals who are unable to practice because they have been impaired by an illness or drug use.

Gov. Jesse Ventura signed the measure into law April 17. It takes effect Aug. 1, 2002.

The law applies to dentists, dental hygienists, or dental assistants.

The House passed the measure 134-0 on April 4 after members adopted an amendment that narrowed the bill's scope.

Previous language would have required a report on "any conduct" by a dental professional that might warrant disciplinary action. The new law more specifically relates to professionals "unable to practice with reasonable skill and safety" stemming from a physical or mental condition or substance abuse.

The Senate agreed to the House changes 51-0 on April 11.

Healthcare facilities will be required to report any disciplinary action taken against the dental professional to the state Board of Dentistry along with notice if the individual resigned.

Additionally, dental associations will be obligated to report any termination of memberships related to a dental professional's impairment.

The disclosure requirement will also apply to any licensed health professional with knowledge of the individual's inability to practice.

Healthcare facilities and individuals that submit reports to the Minnesota Board of Dentistry in good faith will be protected from civil liability and criminal prosecution.

Rep. Dan McElroy (R-Burnsville) and Sen. Don Samuelson (DFL-Brainerd) sponsored the law.

HF3193/SF2957*/CH341

Commitment change

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A new law will give police and family members of mentally ill people more discretion in having the person taken to a medical facility if they pose a danger to themselves or others.

Gov. Jesse Ventura signed the legislation April 16.

The change strikes the word "imminent" from current law used by law enforcement to determine whether a person poses an "imminent danger" to themselves or others.

Effective Aug. 1, 2002, the law will also

require the state Department of Human Services to conduct a study and report to the Legislature regarding the unmet health needs of Minnesotans.

In response to a March shooting by Minneapolis police of a machete-wielding Somali man, Rep. Karen Clark (DFL-Mpls) added a provision on the House floor that will require the Department of Human Services to study the specific mental health needs of the immigrant and refugee communities.

Rep. Mindy Greiling (DFL-Roseville), the House sponsor, said during floor debate that the measure is widely supported by those in the medical and law enforcement fields and has little opposition.

The House amended and passed the measure 122-10 on April 8, and the Senate agreed with the House changes on a 54-3 vote April 9. Sen. Linda Berglin (DFL-Mpls) also sponsors the law.

HF2735/SF2457*/CH335

CAPITOL REFLECTIONS



PHOTO BY TOM OLMSCHIED

Emily Koebe takes one last look at the Capitol after boarding her class's school bus April 15. Emily and her fourth-grade class from St. Anthony Park Elementary School in St. Paul had just finished a tour.

★ INSURANCE

Covering more people

A plan designed to expand health insurance coverage to rural Minnesotans is headed to the governor.

The House passed a conference committee report on the bill (HF2935/SF2909*) on April 15 by a 130-0 vote. It cleared the Senate earlier in the day 60-0.

Sponsored by Rep. Maxine Penas (R-Badger) and Sen. Dallas Sams (DFL-Staples), the bill would allow for five rural health maintenance organization demonstration projects in Greater Minnesota.

Many rural residents face challenges securing health insurance, Penas said.

A recent study by the Center for Rural Policy and Development in Mankato found that 33 percent of full-time workers and about 85 percent of part-time employees in Greater Minnesota do not have access to employer-sponsored health insurance.

The bill would waive some HMO-related regulations and allow providers to create purchasing coalitions with a large number of customers, which would likely lower the costs for policyholders.

Project participants would also be allowed to create a more flexible health plan based on their medical needs.

The health improvement and purchasing coalition involved in establishing the rural project would be required to present annual progress reports to the health commissioner and the Legislature on the following:

- the project's impact on the number of uninsured in the area;
- the effect on health insurance premiums; and
- the level of participation among enrollees in developing the project.

The plan would go into effect the day after enactment.

★ LOCAL GOVERNMENT

Neighborhood organizations

Certain nonprofit neighborhood organizations are allowed greater flexibility in membership voting, under a new law signed April 16 by Gov. Jesse Ventura.

Existing laws governing nonprofit corporations require that when a vote is to be taken on matters such as amending the corporate articles or bylaws, the board must notify the voting members of the election date up to 60 days prior to the vote. Only members notified are allowed to vote on the matter.

Sponsored by Rep. Jean Wagenius

(DFL-Mpls) and Sen. Jane Ranum (DFL-Mpls), the new law allows neighborhood organizations that are also nonprofit corporations the option of allowing others to vote without meeting the mandatory notice requirement.

Effective Aug 1, 2002, the new law allows members who are on a pre-existing membership list or who have a valid driver's license or state identification card with an address in the defined neighborhood boundaries to vote. Members will also be allowed to vote if they can show proof of ownership of a business or property within the neighborhood or have someone to vouch for their residency.

Wagenius said her own neighborhood group, which under prior law had to exclude certain residents from voting because of the nonprofit corporation notification requirements, brought the issue to her.

The new law applies to neighborhood organizations that represent a defined geographic area and have been accepted by a unit of government as the basic planning unit for the area.

It also allows neighborhood organizations that are also nonprofit corporations to use the options offered, but the provisions are not mandatory.

The House and Senate both passed the measure April 9, by 87-45 and 49-3 votes respectively.

HF3445/SF3238*/CH340

★ RECREATION

Park boundary adjustments

The House passed a bill April 15 that would redraw boundaries in a number of state parks.

After inserting the House language of HF3025 into SF2727 and adopting a number of amendments, members passed the measure 100-28. It now goes to a conference committee.

Sponsored by Rep. Doug Peterson (DFL-Madison) and Sen. Don Samuelson (DFL-Brainerd), the bill previously passed 64-0 in the Senate March 14.

The measure would allow the Department of Natural Resources to purchase permanent stream easements for fishing access and habitat management.

A number of state trails and parks would gain additional acreage including the Casey Jones Trail near Pipestone in southwestern Minnesota, the Crow Wing State Park near Brainerd, and the Big Bog State Recreation Area in Beltrami County, also in the north central region.

Big Stone Lake State Park, near Ortonville and close to the South Dakota border in west central Minnesota, would lose land under the plan.

The Cuyuna Country State Recreation Area

now under development about 15 miles northeast of Brainerd would have its boundaries reshaped — both losing and gaining acreage in some areas. The bill also calls for two trails, one paved and one unpaved, in the recreation area to accommodate different users.

A number of counties in the state would also be authorized to sell surplus, tax-forfeited, or trust lands, under the bill.

Members engaged in a lengthy debate on a amendment offered by Rep. Tom Rukavina (DFL-Virginia) that would have allowed a landowner to recover the replacement cost of a "non-conforming" building destroyed "by fire or other peril."

A "non-conforming" property refers to a building that no longer meets the city's zoning requirements for the land. Rukavina said the amendment was an attempt to bypass recent ordinances barring homeowners from building on their property.

Opponents of the amendment said it would raise homeowner's insurance premiums.

Members initially voted to adopt the amendment but after a reconsideration motion, the measure was removed from the bill on a 63-63 vote.

★ TRANSPORTATION

Projects planned, deleted

A House-Senate conference committee meeting to work out differences between transportation policy plans reached an agreement April 11.

Both chambers will now vote on the report to the bill (HF3199/SF3298*).

The committee agreed on provisions that would allow the Minnesota Department of Transportation to purchase land for future highway projects, would allow an exception to a recently passed moratorium on consulting contracts for projects paid for from the trunk highway fund, and would keep the Stillwater bridge project alive.

A provision also recognizes an agreement reached between the Minnehaha Creek Watershed District and the Minnesota Department of Transportation concerning Camp Coldwater Springs near Fort Snelling. A law passed in 2001 to protect the spring halted construction of the interchange at Highways 55 and 62.

A measure that would prohibit school buses from parking near the air-intake system of schools was also included in the bill, but the effective date was pushed back until July 2003 in order to give schools more time to comply.

The committee scrapped a number of

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provisions that failed to receive enough support from members of both chambers.

Among them was a provision that would have prohibited the Metropolitan Council from spending money on the study or design of the Dan Patch commuter rail project. Studies have shown that the line, which would connect Northfield and Minneapolis, was found to be unfeasible, said Rep. Mary Liz Holberg (R-Lakeville).

Sen. Claire Robling (R-Prior Lake) and others opposed including the prohibition, noting that the line would be the only one connecting the southern Twin Cities metropolitan area.

Also scrapped was a House proposal to prevent the city of Minneapolis from enforcing zoning ordinances that could force the closing of commercial or industrial activities along the upper harbor of the Mississippi River.

Saying they were leery of using trunk highway funds to pay for bus services, members also turned down an amendment brought forward by Rep. Sharon Marko (DFL-Cottage Grove) that would have allowed trunk highway funds to pay the operating costs of bus service while a highway is under construction.

Marko wanted the amendment to provide more bus service during the six-year stretch that the Wakota Bridge over the Mississippi River in South St. Paul will be under construction.

Possible progress

After criticizing opposing plans the day before, members of the House-Senate conference committee on transportation funding appeared closer to a compromise April 17.

Co-chair Rep. William Kuisle (R-Rochester) presented a new House offer that included the possibility of a modest gas tax increase.

The House's latest offer would include \$750 million in bonding over five years and would allow a gas tax increase of between 3 cents and 4 cents to pay for any additional bonding. It would also dedicate part of the increase to debt service on the bonds.

It also proposes a constitutional amendment to dedicate about 23 percent of the motor vehicle sales tax to transit needs.

The original House proposal (HF3364) would borrow about \$750 million over five years to pay for road construction projects. The money would be repaid with increases in current transportation funds.

The Senate plan (SF2812) would increase the gas tax by 6 cents to generate about \$5 billion over 10 years.

Absent from the new House plan is gas tax indexing, which allows for the tax to be increased yearly as needed.

FREEZE FRAME



PHOTO BY ANDREW VON BANK

Dillon Cummins, 4, of Apple Valley peeks at the audience attending the April 11 House-Senate conference committee meeting to work out differences between transportation policy plans.

Also unresolved is a Senate provision that would change the distribution of state funds to county state-aid highways. House members opposed changing the formula and the new plan states only that the issue would be determined by conferees.

Kuisle said most of the House leadership has not seen the new offer, which he called a proposal from renegade conferees, and joked that he may have to leave the country soon.

But Sen. Dean Johnson (DFL-Willmar), the Senate co-chair, called the offer a good starting place for a compromise. Senate members will now work on a counteroffer, which will likely be discussed after April 18.

Rep. Tony Kielkucki (R-Lester Prairie) said the offer is just a conceptual plan and the provisions to raise the gas tax and amend the constitution are contingent upon other factors.

Johnson said the possibility of discussing a gas tax increase raises some hope. "We have gone from 'no' to 'if.' Maybe next week we can get the 'yes.'"

But Rep. Mary Liz Holberg (R-Lakeville) warned that many representatives have pledged not to increase taxes, and many will be reluctant to vote for a tax increase with elections in the fall.

"We are way out on a very thin limb with a gas tax in the House," she said.

No political party or organization should have the final say in how members vote, Johnson replied, adding that transportation used to be a nonpartisan issue.

"No one should be attacked for doing the right thing," he said.



"I've learned something in my few years here at the Legislature," said Rep. Tony Sertich (DFL-Chisholm) during the House-Senate conference committee on the economic development omnibus bill.

Sertich and other House conferees were being asked if they had signed a particular petition. His comment lends insight into the nuances of legislative debate.

"Don't write down what you can say, and don't say what you can nod," he said, grinning.

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 meetingschedules; 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.mn>

Power plant criteria

Committee examines ideas for specific project on Iron Range, but companies, legislators express concern

By **THERESA STAHL**

A slimmed-down plan for building new energy plants may become law without any House committee hearings.

The legislation, which is included in the jobs and economic development finance omnibus bill (HF3648/SF3431*), was discussed at the April 16 House-Senate conference committee meeting.

The goal of the plan, dubbed the Mesaba Energy Project, is to put a state-of-the-art coal-burning plant on the Iron Range that has "one-tenth the emissions of the next-best technology," according to Julie Jorgensen of Minneapolis-based Excelsior Energy, Inc., the sponsor of the project.

The original bill called for a 2,000-megawatt Integrated Gasification Combined Cycle (IGCC) plant to be built on the Iron Range at the abandoned LTV Steel site. In its current form, the bill would instruct the Public Utilities Commission to consider changing its criteria to include criteria describing the combined cycle plant.

The plant would take carbon-based fuel, such as coal, and turn it into a gas, taking out its impurities, then burn it. The result is much lower emissions than a traditional coal-burning plant.

Jorgensen said the criteria would attract more players to the state to meet its energy needs, and all of the risk would be on the company sponsoring the project.

A plant such as the Mesaba project would bring "hundreds of millions of dollars to the

state" and would create new jobs, she testified. All chambers of commerce on the Iron Range have endorsed the project.

"We have a skilled workforce that's ready to be put to work," she said.

Rep. Ken Wolf (R-Burnsville), chair of the House Regulated Industries Committee and a member of the conference committee, said the proposal never received a House hearing because he was waiting for the Senate to complete its hearings. Committee deadlines had approached by the time the House would have been able to hear the bill, he said.

Wolf, who sponsored major energy legislation in 2001 that took four years to become law, said the proposal warrants more hearings and will take more time than is left in the session. The bill was first introduced about three months ago.

"This is huge," he said. "This belongs in the legislative process."

Sen. David Tomassoni (DFL-Chisholm), the sponsor of the original bill, said the need for baseload energy—the most reliable type of generation—in the next few years is tremendous.

"We as policy makers need to decide where we're going to get our power from," he said.

Tomassoni's legislation would freeze requests for proposals for energy plants until the commission could draft new criteria. The bill lists nine provisions that the commission would be required to consider using as permanent criteria.

The criteria that would be up for

consideration include the following:

- competitiveness and long-term stability of cost,
- reduction of air emissions by using innovative technology,
- reuse of existing industrial sites,
- potential for new jobs and other economic benefits in economically depressed areas of the state,
- local support for the generation facilities of the project,
- use of agricultural by-products, and
- distributed generation to encourage new energy technologies and local economic development.

Wolf and others accused the criteria of being pointed a certain way.

"We think this steers the selection process toward one project," said Carl Lehmann, director of government affairs for Xcel Energy.

Xcel is the only utility that secures its energy through a competitive bidding process, which is regulated by the commission. Lehmann said results of the 2001 energy policy changes have been good and the company has seen more bids this year because of it.

But he warned, "If we insert the criteria, bidders may believe the process is a political one."

Tracy Bridge, director of government and public relations for Reliant Energy, said his company also opposes the legislation. He said instructing the commission to consider new criteria is unnecessary because it already has that authority.

Jorgensen maintained that the current process encourages existing technologies and the state needs to act this year if a project like Mesaba is going to be considered.

"This encourages creative new entrants ... to foster goals at competitive prices," she said.

Rep. Dan McElroy (R-Burnsville), co-chair of the conference committee, asked Tomassoni if he would be willing to see if the proposal could be scaled back so more people would be in agreement.

"That's why I'm here," Tomassoni said.

Negotiations on the energy legislation were scheduled to be continued at the time this edition of *Session Weekly* went to press.



PHOTO BY ANDREW VON BANK

Conferees discuss the omnibus jobs and economic development bill, particularly Senate energy provisions not originally heard by House committees.

Hot topics

Audit commission uses survey to help determine which issues need further study and examination

By LISA HILTON

When legislators want to know how many sex offender treatment programs there are in Minnesota, how well recycling programs work, or even how effective mosquito control programs are at reducing pesky bugs, they often turn to the Office of the Legislative Auditor.

The nonpartisan office was created in 1878 to provide accurate and useful information to lawmakers, and to conduct financial audits of government entities.

Originally called the Public Examiner, the benefit of the office was almost immediately clear to lawmakers. Only a few years after the position was created, Gov. John Pillsbury stated, “No single act of legislation in this state has ever been productive or more good in purifying the public service ... than the creation of this office of public examiner.”

Along with serving as a watchdog of state agencies by pointing out problems in programs, the office also makes recommendations as to how the agencies can improve.

Each year the office studies topics selected by a 16-member joint House-Senate delegation, called the Legislative Audit Commission.

A topic selection sub-committee makes recommendations to the full committee about which topics should be chosen. The office is then required by law to study those issues.

Although the office can usually study about six topics a year, this year is a little different because the budget is not yet set, Legislative Auditor James Nobles said. For now, the office is beginning only four program evaluation studies, but if more money becomes available, the office may add another study.

This year’s topics are:

- how the Department of Natural Resources maintains trails and enforces regulations on trails;
- how well state agencies manage contracts;
- how efficiently the Metropolitan Airports Commission uses its resources and whether it responded well to the financial crisis that followed Sept. 11; and

- how well the Department of Human Services ensures compliance with participant eligibility, renewal, and premium payment requirements for MinnesotaCare.

Full reports on the issues are expected to be released in January 2003.

Legislative surveys

Although the audit commission makes the final decision about topics to be studied, surveys of all 201 lawmakers have long been used as one factor to help decide what is important to legislators.

After the audit commission narrows a list of about 40 possible study topics down to about a dozen, the auditor’s office then pre-

out that some legislators are lobbying others to select certain topics on their surveys.

In an effort to limit the practice, Rep. Dan McElroy (R-Burnsville) suggested at a March 11 sub-committee meeting that this year’s survey ask which topic is the most important and why. The committee agreed, and for the first time, this year’s survey asked lawmakers to describe why their first choice was important to them.

But Roger Brooks, deputy legislative auditor for the Program Evaluation Division, said only about one-quarter of those who returned a survey wrote why they chose their top priority.

The surveys were also changed about three years ago to include each legislator’s name because some members were copying their completed survey form and asking others to sign it, he said.

Brooks pointed out other concerns during an audit commission meeting last fall.

Since topics are chosen during the middle of the legislative session, members are very busy and have little time to dedicate to the

“No single act of legislation in this state has ever been productive or more good in purifying the public service ... than the creation of this office of public examiner.”

— Gov. John Pillsbury, commenting on the creation of the office now governed by the Legislative Audit Commission

pare summaries of each topic and surveys legislators, who rank the studies based on their value. About half of the lawmakers usually return the surveys, Nobles said.

This year’s survey asked legislators whether an issue should be studied or not, and members were requested to write which is their highest priority for a study and why.

Of the 80 lawmakers who returned a survey this year, 40 said the state contract issue should be studied, and 11 picked the issue as their top priority.

The other three topics were nearly evenly ranked as the second priority.

Topic selection concerns

The audit commission has been in operation since 1975, but lately there has been some concern regarding topic selection.

For example, several lawmakers have pointed


commission.

The first year of the biennium also poses problems because legislators aren’t appointed to the commission until late in the session, he said.

Attendance at audit commission meetings is also a concern, since who attends a meeting can greatly influence what study topics will be selected, Brooks said.

Nobles has also expressed concern about study topics that have been assigned.

It’s important to study issues that future legislatures will have use for, he said. While some studies are used a great deal, others are not used as much, he said.

“I want us to utilize the resources we have available in the most effective way,” Nobles said. “The question we are always trying to answer is, ‘Is this really worth it?’” 

Logging on

Communities in Greater Minnesota want the same Internet access as those in metropolitan areas

By SARAH MCKENZIE

While many rural Minnesotans have access to the Internet, they often trail behind their urban counterparts on the information highway with slower connections.

High-speed Internet access has increasingly become a staple for schools and businesses in the Twin Cities metropolitan area, along with a few pockets in Greater Minnesota, such as Marshall in the state's southwest corner.

But many rural communities either lack access or connect to the Internet at slow speeds, making it difficult to compete in the fast-paced, Net-based economy — a trend that troubles rural legislators working to stymie the population drain in their districts.

Rep. Bob Ness (R-Dassel), chair of the House Agriculture and Rural Development Finance Committee, said he is working to establish continued funding for the state's Telecommunications Access Revenue Program in this year's budget bill. A provision is contained in the Senate version. The program leverages federal dollars and provides school districts with an additional \$5 per pupil to pay for high-speed networks and other telecommunications systems. It also provides funding for public libraries.

Minnesota school districts received about \$15 million to expand information technology this year under the program.

The budget deficit has made it more difficult to find money for the program for fiscal year 2003, but Ness said he would like to see House and Senate conferees include funding for the program in the budget compromise.

"The basic question is this: in this modern era of technology is access to the Internet as important as electricity?" Ness said. "It absolutely is. We have to deal with the state's interest of equity for all citizens so all Minnesotans can share in economic growth."

Rep. Doug Peterson (DFL-Madison), the agriculture finance committee's DFL lead, has also been a strong proponent of expanding high-speed Internet access in Greater Minnesota.

Peterson, who will step down at the end of



PHOTO ILLUSTRATION BY PAUL BATTAGLIA

Legislators are pushing to fund access to high-speed Internet connections for rural Minnesotans.

the session to become head of the Minnesota Farmer's Union, said the state's agriculture community needs to have equal access to faster Internet connections to stay competitive.

Ness said he would like to see a permanent funding model based on a provider surcharge to mitigate funding disparities between large and small school districts — similar to recommendations made by the state's Department of Children, Families and Learning, which were presented in February.

"We need to come up with some permanent funding instead of riding this wave of doubt when we come up to another session," Ness said.

The department recommended that the state work with its Public Utilities Commission and the Legislature to adopt a universal service fund model that would create a permanent fund for K-12 public schools and libraries.

Under the model, the fund would generate \$24 million annually for school and library telecommunications access costs by tacking a surcharge on to monthly wire and wireless customer bills.

A bill (HF3301) in the House aimed at creating a permanent funding source and a

companion measure (SF3346) in the Senate have stalled this session. Ness and Sen. Steve Kelley (DFL-Hopkins) are the sponsors.

The bill, aimed to increase statewide accessibility to broadband services, would tack a 42-cent surcharge on to bills issued by Internet service providers and other utilities providing telecommunications services to fund installation of broadband infrastructure for schools.

Besides funding for schools, the state Department of Trade and Economic Development has provided \$1 million in grants to rural cities and counties to expand high-speed Internet access.

Although the projects have taken longer than expected to implement, according to a department report, many communities have reported back with success stories.

In Sibley County, for instance, agricultural high-speed Internet subscribers have been able to access commodity prices at much

faster rates.

Another project report indicates that a business in Madison Lake was able to avoid a relocation to Mankato by purchasing a wireless connection with grant money. It turned the "business's nightly file downloads from a 6-7 hour ordeal to a 7-12 minute task," according to the report.

"Interestingly, two of his employees, (both) computer technicians, have purchased homes and are raising their families in Madison Lake, population 688, as a result of the firm's decision to stay in the community," the report continued.

Despite uncertainties over additional state funding, Jack Geller, president of the Center for Rural Policy and Development at Minnesota State University, Mankato, said high-speed Internet subscription rates in Greater Minnesota appear to be on the rise.

Geller said the center will release results from a survey tracking Internet use in June.

According to its most recent survey, 60 percent of rural Minnesota households have a working computer, and of that group, 80 percent are connected to the Internet.

Continued on page 22

Ready to relax

After 28 years of fighting for St. Paul, Osthoff says it's the right time to step aside

By DAVID MAEDA

Next to the walking trail around Lake Como in St. Paul sits a bench surrounded by newly planted trees dedicated in memory of Sandra Osthoff.

In many ways the memorial to his late wife is an appropriate symbol for Rep. Tom Osthoff's (DFL-St. Paul) career as a 28-year House member.

Osthoff is known for his work on environmental issues, currently serving as the DFL lead on the House Environment and Natural Resources Finance Committee after chairing the same committee in 1997-98. He was an advocate of the creation of the state lottery, with funds dedicated to the environmental trust fund.

He shared his environmental concerns with his wife, Sandra. Osthoff said she loved Como Park, serving on committees to clean up the lake.

highest minority populations in the state, and it is a great opportunity for someone to step up and add balance to the Legislature.

As a child, Osthoff shared a newspaper route in the Capitol area with his four brothers. He remembers watching lawmakers and staff scurry around from the balconies above the chambers.

Now he says one of the things he will miss and remember most fondly are the colleagues and staff he worked with.

"There's some really marvelous people here. You get to meet all different creeds, nationalities, religions, sexual orientation. If you lived in your own little neighborhood the chances of that are nil," he said. "I couldn't go out in the private industry and hire better people. They're incredibly gifted."

When Osthoff decided to run for a House seat in 1974, education issues topped his list

of concerns. He sponsored a law providing a tax deduction for tuition, transportation, and textbooks at private schools. The law was challenged all the way to the U.S. Supreme Court, which upheld its constitutionality.

Of his accomplishments over the years he is most proud of sponsoring legislation for property tax relief and the Minnesota renter's credit.

He also sponsored changes to the state's elections and public official ethics laws, having also worked as the manager of Ramsey County's property tax department, responsible for overseeing the county's election administration.

"I don't do the glitzy things. I'm trying to do the things that help the most people," Osthoff said.

Known for his sometimes confrontational debate style, he would agree with those who

have said he has mellowed over the years.

"Everybody used to be frightened of me because I would snap and growl and bite once in a while," he said. "I have grown intellectually and emotionally, I'm still evolving. ... If they want to call that mellowing, that's fine with me."

Rep. Ron Abrams (R-Minnetonka) said Osthoff will be very much missed by members from both sides of the aisle.

"Tom is one of the finest members of the Minnesota Legislature that I ever served with," Abrams said. "He never forgot his Rice Street roots and at the same time understood his job had an impact statewide."

Rep. Alice Hausman (DFL-St. Paul), who shares a Senate district with Osthoff, praised his efforts on behalf of the city, specifically projects dealing with infrastructure, Como Park, and the Science Museum of Minnesota.

"Tom is devoted to St. Paul and to his neighborhood. What he does with that commitment in his legislative career is to concentrate on projects that would help his city," she said.

House Speaker Steve Sviggum (R-Kenyon) said he will miss working with Osthoff.

"Without question he is the strongest advocate for his community, meaning St. Paul, that I know," Sviggum said. "He understands the process and he gets things done. In the Legislature there are voices in the wilderness. There are ineffective legislators, and there are effective legislators. He is one of the effective ones."

Osthoff said that he'll miss being in the House, but he leaves the Capitol with a smile on his face.

"I'm really proud to be a member of this Legislature. I consider it to be a very high honor. It's a privilege accorded to you ... bestowed on you by the voters and the people of your district. I don't know what's more honorable than to have somebody have confidence that you can do the job for them. How can you not feel humbled when that happens to you?" 🐼



PHOTO BY TOM OLMSCHIED

Rep. Tom Osthoff, who spent 28 years in the House advocating for St. Paul projects, will step down after his current term.

When new redistricting maps were released this spring, the district's boundaries greatly changed, reflecting the growing diversity in the city. Being at the retirement age of 65, Osthoff said he knew it was the right time to step aside.

"I just want to relax and enjoy whatever God gives me for the rest of my life on this good earth. And that includes my son, my daughter-in-law, and my two grandchildren," he said.

He said the new district contains one of the

STEPPING DOWN

Rep. Tom Osthoff
DFL
District 66A — St. Paul
Terms: 14

Career notes: Osthoff is known for his advocacy of several projects in the Como Park neighborhood, including funding for improvements to the Como Park Zoo and Conservatory. He also sponsored a number of environment-related bills.

New opportunities

Rifenberg opts against re-election after redistricting pairs her with another Republican House member

By THERESA STAHL

Listening to her colleagues, it is clear Rep. Michelle Rifenberg (R-La Crescent) will be missed.

"She is a very honorable person to work with, very straight forward," said Rep. Gene Pelowski (DFL-Winona).

"She's a great asset to this House, a great asset to her district," added Rep. Greg Davids (R-Preston).

But not even the distinction of being vice chair of the House Redistricting Committee could protect her from the consequences of the court-ordered district boundaries.

Due to new boundaries, Rifenberg and Davids would be paired in the upcoming election. New Senate lines pair two Republican senators, as well. Those factors helped Rifenberg, who is in her third term in the House, decide against seeking re-election.

"I've got a tremendous amount of respect for her," said Davids, who was with Rifenberg when she made the announcement not to run. "Even if we both would have decided to run, I think it would have been a good clean campaign — it would have been about issues."

Rifenberg said she is disappointed about the circumstances and hasn't decided what she's

going to do next. But she says she remains an optimist.

"I know that every day is a new opportunity," she said. "Just because you don't know what it is doesn't mean the opportunity's not going to be there."

The opportunity to run for state representative first presented itself to her in 1996. Rifenberg spent nine years at home with her son after working as a medical technologist in a hospital for seven years. She became involved in her son's school activities and was an active volunteer.

She taught Confraternity of Christian Doctrine (CCD) classes for eight years, served as president of the Council of Catholic Women, and was chair of the Houston County Republicans when she announced her candidacy for the Legislature.

Rifenberg said she ran on her own initiative.

"I was inspired by the example of a few good, true Republicans that understood the principles of limited government and the impact an over-reaching government has on a family," she said.

She said one of the biggest issues that motivated her to run was Minnesota's "burdensome tax situation." She's now served on the House Taxes Committee for four years and has sponsored several bills related to taxes.

She has also served on the House Regulated Industries and Agriculture Policy committees.

Rifenberg's philosophy on taxing is germane to her view of families.

"I want people to remember that I was a legislator that understood that families work hard for their money, and that they need to be able to keep more of their own

money, because they're the best decision-makers when it comes to caring for the needs of their family."

Although she's looking forward to spending more time with her own family, Rifenberg said she will miss the friends she's made in St. Paul.

"You form friendships that will last a lifetime" working in the Legislature, she said.

She also promises to keep a close eye on what continues to happen with tax policy.

"We've made a lot of progress and we still have a long way to go," she said. "I want to make sure we don't backtrack on the progress that we've made."

When Rifenberg looks at her life, she says, she sees progress and accomplishment.

"Women can be anything they want to be or do anything they want to do, but you just can't do it all at one time. So you have to segment your life."

Reflecting on her time at the Legislature, Rifenberg said a friend of hers reminds her of a saying from Mother Teresa about entering public service. "You're called to serve, not to succeed," Rifenberg quoted. "When I think about being motivated to run and wanting to do something about tax policy, there's a special sense of gratification and accomplishment to know that while I was fortunate enough to serve, I was lucky to succeed."

Davids wouldn't disagree.

"Michelle Rifenberg is one of the best legislators I've ever worked with ... she is great on all issues," he said. "She's smart, she's well-read, she's prepared. She really represents her district well."

The House is "much worse off" because she's not running again, Davids said.


"To serve the district as honorably as she has is really a tribute to her and her family," he said. "She'll be missed terribly." 



PHOTO BY TOM OLMSCHIED

Rep. Michelle Rifenberg will step down after this session. Part of her southeastern Minnesota district was combined with Rep. Greg Davids, prompting her to not run for re-election.

STEPPING DOWN

Rep. Michelle Rifenberg
Republican
District 32B — La Crescent
Terms: 3

Career Notes: Rifenberg sponsored a law for a loan forgiveness program for teachers to encourage more teachers to come to rural Minnesota. She has also sponsored a number of different tax proposals, including those dealing with income, property, and sales taxes.

Orderly annexation

Trio of new laws update the system, make it fairer for all sides, proponents say

By DAVID MAEDA

Minnesota's population density of 61.8 people per square mile ranks 31st in the nation. But as metropolitan areas continue to grow and rural areas lose population, the relationship between townships and cities, particularly when it comes to boundary issues, can cause conflict, though not frequently.

According to a 2002 Minnesota Planning report titled *City Limits: A Report to the Minnesota Legislature on Municipal Boundary Adjustments*, there were 691 municipal adjustments in the state between 1999 and 2001. Only 22 were filed as contested proceedings, of which 10 went to a hearing.

But not all agree that the system is working.

Brenda Dicken, chair of the Rochester Township board, said the state will see the "gradual demise of all but the most rural townships" if changes are not made.

"The changes in the annexation process in the past 10 years have swung the pendulum so far in the favor of cities that townships have completely lost their voices in the process," she said.

But Brenda Johnson, a Chatfield city council member, said township residents in some areas enjoy city services such as sewer and water, libraries, and parks without having to pay the taxes that support them.

"It is about subsidies not wanting to be subsidizers," Johnson said.

State law provides three types of annexation.

- Under certain conditions, cities may pass ordinances declaring specific land parcels as part of the city. Property owners can also petition for an ordinance. Such a plan must meet several criteria, including that the annexed land is completely surrounded by the city annexing it or the land equals 60 or fewer acres.
- Orderly annexation occurs when the city and township work together in developing a joint plan to address the needs of the community.
- State-ordered annexation often occurs when no orderly agreements are in place and city ordinance is not possible.

In 1959 the Minnesota Municipal Board was created to oversee the increasing number of disputes in the boundary adjustment process.

No governmental body previously existed to ensure an orderly process.

The three-member board appointed by the governor was given the responsibility of holding hearings and issuing orders for the creation or adjustment of municipal boundaries.

In part to address the growing issue of urban sprawl, the Legislature passed the Community Based Planning Act in 1997 establishing a voluntary planning process to coordinate development. A provision set a Dec. 31, 1999 sunset of the municipal board,

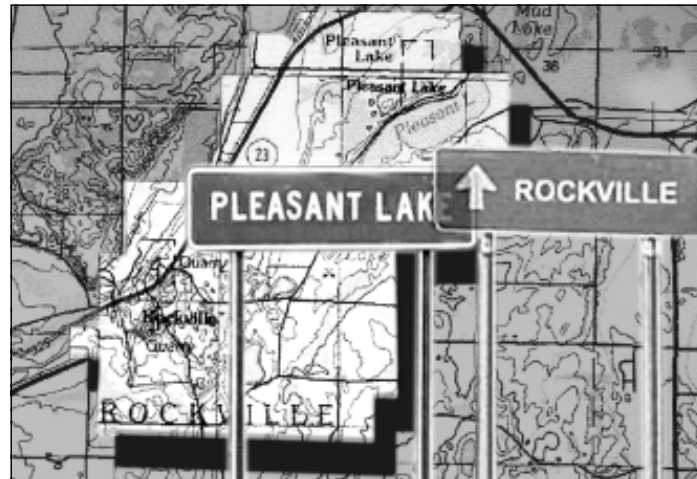


PHOTO ILLUSTRATION BY ANDREW VON BANK

Proposals to regulate municipal boundary adjustments, primarily through annexation, have passed into law during the 2002 session. One law allowed the cities of Rockville and Pleasant Lake in Stearns County to merge into one city with Rockville Township.

transferring its duties to the Office of Strategic and Long Range Planning.

The two-year sunset was to allow time to develop an alternative dispute process to compare with the existing process.

But the alternative process was never used because it was developed for two-party disputes and most contested cases involve more than two parties. As the board's sunset approached, its caseload increased and board members resigned. The Legislature then moved the sunset up to June 1, 1999.

Currently, in contested proceedings, a hearing date before an administrative law judge is set within 30 to 60 days after the appropriate documents are filed.

All sides are required to meet at least three times prior to the hearing and report back to the director of the planning agency on the progress of those meetings.

The director can summon a neutral third party mediator to work with the sides to find a mutual agreement. The parties can also choose binding arbitration, although that has not been used since the municipal board was sunset.

Kent Sulem, an attorney representing the Minnesota Association of Townships, said costs of contested proceedings are becoming a barrier to township participation.

According to the report, municipal board members formerly received a \$50 per diem, while the current administrative law hearing process involves judges paid on a fee-for-service basis at \$150 per hour.

As a result, recent proceedings involving the city of St. Cloud and St. Augusta Township cost about \$29,000. The board's estimated costs for the same time would have been \$1,800.


The Legislature continues to look at the municipal boundary adjustment process, passing three laws this session.

One law (HF1620*/SF2210/CH236), sponsored by Rep. Larry Howes (R-Walker) and Sen. David Tomassoni (DFL-Chisholm), reinforces that orderly annexation plans are binding contracts.

The second law (HF1189*/SF1376/

CH235), sponsored by Rep. Ray Vandever (R-Forest Lake) and Sen. Michelle Bachmann (R-Stillwater), requires election of new municipal officers when an entire township is annexed.

Finally, a law (HF1297/SF1471*/CH223), sponsored by Rep. Jerry Dempsey (R-Red Wing) and Sen. Jim Vickerman (DFL-Tracy), replaces obsolete language relating to the municipal board, as well as other housekeeping provisions.

The House Local Government and Metropolitan Affairs Committee rejected another Howes-sponsored bill (HF869). It would have allowed residents to vote on a proposed annexation of their area. The measure received support from townships but was opposed by city officials. 

Minnesota State Government

State Departments*

Administration

200 Administration Building
 50 Sherburne Ave., St. Paul 55155 296-6013
<http://www.admin.state.mn.us>
David Fisher - Commissioner 296-1424

Agriculture

Agriculture Building
 90 W. Plato Blvd., St. Paul 55107 297-2200
<http://www.mda.state.mn.us>
Gene Hugoson - Commissioner 297-3219

Children, Families & Learning

1500 Highway 36 W., Roseville 55113 582-8200
<http://children.state.mn.us>
Christine Jax - Commissioner 582-8204

Commerce

133 E. Seventh St., St. Paul 55101 296-4026
<http://www.commerce.state.mn.us>
Jim Bernstein - Commissioner 296-6025

Corrections

Suite 200
 1450 Energy Park Drive, St. Paul 55108 642-0200
<http://www.corr.state.mn.us>
Sheryl Ramstad Hvass - Commissioner 642-0282

Economic Security

390 N. Robert St., St. Paul 55101 296-3644
<http://www.mnwfc.state.mn.us>
Earl Wilson - Commissioner 296-3711

Employee Relations

Second Floor, Centennial Office Building
 658 Cedar St., St. Paul 55155 297-1184
<http://www.doer.state.mn.us>
Julien C. Carter - Commissioner 296-3095

Finance

400 Centennial Office Building
 658 Cedar St., St. Paul 55155 296-5900
<http://www.finance.state.mn.us>
Pam Wheelock - Commissioner 297-7881

Health

The Golden Rule Building, Suite 400
 85 Seventh Place E., St. Paul 55101 215-5800
<http://www.health.state.mn.us>
Jan Malcolm - Commissioner 215-5813

Housing Finance Agency

400 Sibley, Suite 300, St. Paul 55101 296-7608
<http://www.mhfa.state.mn.us>
Katherine G. Hadley - Commissioner 296-5738

Human Rights

Suite 700
 Army Corps of Engineers Center
 190 E. Fifth St., St. Paul 55101 296-5663
<http://www.humanrights.state.mn.us>
Janeen Rosas - Commissioner 296-5663

Human Services

Human Services Building
 444 Lafayette Road, St. Paul 55155-3815 297-3933
<http://www.dhs.state.mn.us>
Michael O'Keefe - Commissioner 296-2701

Labor & Industry

443 Lafayette Road, St. Paul 55155 284-5000
<http://www.doli.state.mn.us>
Shirley Chase - Commissioner 284-5010

Military Affairs

Fourth Floor, Veterans Service Building
 20 W. 12th St., St. Paul 55155-2098 282-4662
<http://www.dma.state.mn.us>
Maj. Gen. Eugene R. Andreotti - Adjutant General 282-4666

Minnesota Planning

Third Floor, Centennial Office Building
 658 Cedar St., St. Paul 55155 296-3985
<http://www.mnplan.state.mn.us>
Dean Barkley - Director 297-2325

Natural Resources

500 Lafayette Road, St. Paul 55155-4001 296-6157
<http://www.dnr.state.mn.us>
Allen Garber - Commissioner 296-2549

Pollution Control Agency

520 Lafayette Road N., St. Paul 55155 296-6300
<http://www.pca.state.mn.us>
Karen Studders - Commissioner, Board Chair 296-7301

Public Safety

Town Square
 444 Cedar St., St. Paul 55101 282-6565
<http://www.dps.state.mn.us>
Charlie Weaver - Commissioner 282-6565

Revenue

600 N. Robert St., St. Paul 55146 296-3781
<http://www.taxes.state.mn.us>
Matt Smith - Commissioner 296-3403

Trade & Economic Development

500 Metro Square
 121 Seventh Place E., St. Paul 55101-2146 297-1291
<http://www.dted.state.mn.us>
Rebecca Yanisch - Commissioner 296-6424
 1-800-657-3858

* and other major agencies

Area code 651 except where otherwise noted.

Transportation

395 John Ireland Blvd., St. Paul 55155 296-3000
<http://www.dot.state.mn.us>
Elwyn Tinklenberg - Commissioner 296-3000

Veterans Affairs

Second Floor, Veterans Service Building
20 W. 12th St., St. Paul 55155 296-2562
<http://www.mdva.state.mn.us>
Jeffrey L. Olson - Commissioner 296-2345

Boards & Agencies

Board of Pardons

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

Campaign Finance & Public Disclosure Board

First Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 296-5148
<http://www.cfboard.state.mn.us>
Jeanne Olson - Executive Director 296-1721

Capitol Area Architectural & Planning Board

204 Administration Building
50 Sherburne Ave., St. Paul 55155 296-7138
<http://www.caapb.state.mn.us>
Nancy Stark - Executive Secretary 296-1162

Higher Education Services Office (HESO)

Suite 350
1450 Energy Park Drive
St. Paul 55108-5227 642-0533
1-800-657-3866
<http://www.mheso.state.mn.us>
Robert Poch - Director 642-0502

Iron Range Resources & Rehabilitation Board

P.O. Box 441, Eveleth 55734 (218) 744-7400
1-800-765-5043
<http://www.irrrb.org>
John Swift - Commissioner

Law Library

Ground Floor Judicial Center
25 Constitution Ave., St. Paul 55155 296-2775
<http://www.courts.state.mn.us>
Marvin Roger Anderson - State Law Librarian 297-2084

Metropolitan Council

Mears Park Center
230 E. Fifth St., St. Paul 55101 602-1000
<http://www.metrocouncil.org>
Ted Mondale - Chair 602-1554

Minnesota Historical Society

Minnesota History Center
345 Kellogg Blvd. W., St. Paul 55102-1906 296-6126
<http://www.mnhs.org>
Nina M. Archabal - Director 296-2747

Minnesota State Colleges & Universities (MnSCU)

500 World Trade Center
30 E. Seventh St., St. Paul 55101 296-8012
<http://www.mnscu.edu>
James McCormick - Chancellor 296-8012
Mary Choate, Bloomington - Board Chair

Minnesota Tax Court

Minnesota Judicial Center
25 Constitution Ave., St. Paul 55155 296-2806
<http://www.taxcourt.state.mn.us>
George W. Perez - Chief Judge

Minnesota Veterans Homes Board

122 Veterans Service Building
20 W. 12th St., St. Paul 55155 296-2073
<http://www.mvh.state.mn.us>
Wayne M. Sletten - Chair

Office of Environmental Assistance

520 Lafayette Road, Second Floor, St. Paul 55155 296-3417
<http://www.moea.state.mn.us>
Sherry Enzler - Director 215-0283

Public Utilities Commission

Metro Square Building, Suite 350
121 Seventh Place E., St. Paul 55101 296-7124
<http://www.puc.state.mn.us>
Burl Haar - Executive Secretary 296-7526
Gregory Scott - Chair

University of Minnesota

100 Church St. S.E.
202 Morrill Hall, Minneapolis 55455 (612) 625-5000
<http://www.umn.edu>
Mark Yudof - President (612) 626-1616
Maureen K. Reed, Stillwater - Board of Regents Chair

Workers' Compensation

Court of Appeals
Minnesota Judicial Center, Suite 405
25 Constitution Ave., St. Paul 55155 296-6526
<http://www.workerscomp.state.mn.us>
Thomas L. Johnson - Chief Judge 296-2253

Tracking new laws, vetoes

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

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

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

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

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

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

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
261	3462	3080*	Funeral trust account provisions modified.	3/22	
262	3348	3136*	Workers' compensation provisions modified.	3/22	
263	2753	2590*	Carlton County recorder appointment authorized.	3/22	
264	2796*	2670	Minneapolis asphalt plant construction authority.	3/22	
265	2792*	2575	Appliance recycling required.	3/22	
266	3373	3045*	Fourth Judicial District domestic fatality review team pilot project extension.	3/25	
267	3362	3109*	Municipal police departments black patrol vehicles.	3/25	
268	2662	2611*	Interstate compact for adult offender supervision.	3/25	
269	1934	1030*	National crime prevention and privacy compact.	3/25	
270	94	222*	Game and fish laws gross overlimit violations penalties.	3/25	
271	2873	2578*	County human services and public health clients support programs.	3/25	
272	2993	2463*	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	3/25	
273	3263	3167*	Sex offenders civil commitment determinations data access authority.	3/25	
274	1413	1226*	No-fault automobile insurance full medical expense benefits entitlement.	3/25	
275	3276	3100*	Medical assistance reimbursement for tribal health services.	3/25	
276	3291	3124*	Nursing and board care homes resident reimbursement classifications provisions modification.	3/25	
277	3245	3126*	Health care and human services programs provisions technical modifications.	3/25	
278	3061	3117*	Metropolitan Council interceptor facilities continued use determination.	3/25	
279	2600	2419*	Child care programs wading pools public swimming pools regulations exemption.	3/25	
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27◆
281	2678	2768*	Medical assistance demonstration project provisions modified.	3/26	
282	3579	3073*	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	3/26	
283	2570*	2553	Automobile insurance damaged window glass claims payment basis modified.		3/26◆
285	2882*	3122	Electric personal assistive mobility device and roadway and sidewalk regulations.	3/26	
286	3078	2821*	Real estate brokers and salespersons regulatory provisions modifications.	3/26	
287	2664	2459*	Supplemental nursing services agencies registration criteria expansion.	3/26	
288	1885	2115*	Motor vehicle dealers surety bond requirements clarification.	3/26	

◆ - veto overridden by the Legislature

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

CH	HF	SF	Description	Signed	Vetoed
289	3091	2764*	Mentally retarded persons incidents and emergencies reporting standards modification.	3/26	
290	2932	2614*	Foster care placement communicable diseases disclosure requirement.	3/26	
291	3080	3055*	Metropolitan transit police provisions modifications.	3/26	
292	2757	2692*	Human services licensure.	3/26	
293	2889	2933*	Individual sewage treatment systems installation.	3/26	
294	2635	2550*	Special education services costs reimbursement.	3/26	
295	3222	2953*	Fire insurance excess coverage prohibitions.	3/26	
296	2933	2546*	Rockville and Pleasant Lake consolidation plan joint development required.	3/26	
297	2884*	2715	Motor vehicle excessive gross weight civil fine imposition modified.	3/26	
298	3196*	2966	State procurement law ethical provisions clarified.	3/26	
299	3205	2890*	Public works contracts regulated.	3/27	
300	3223	2793*	Out-of-state facilities for children with severe emotional disturbance certification plan required.	3/27	
301	2842	3244*	Evidentiary laboratory blood sample reports electronic signatures.	3/27	
302	3224	3034*	Hennepin County Medical Center cooperative purchasing authority.	3/27	
303	3240	2814*	Electronic voting authorized for cooperatives.	3/27	
304	2596	2673*	Child custody provided for by de facto custodians and third parties.	3/27	
305	3328	3278*	Driver's education organ and tissue donation instructions.	3/27	
306	3079	2697*	Real estate transactions disclosure requirements.	4/1	
307	3492	3315*	Insurance provisions modification; medical malpractice insurance joint underwriting assoc. issuance prohibition.	4/1	
308	3221	3145*	Military justice code revisions.	4/1	
309	3506	3084*	State and local government units auditing and reporting requirements modifications.		4/1
310	1224*	887	Medical response unit registration provided.	4/1	
311	2785	2542*	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	4/1	
312	3519	2675*	State agencies required to use biodiesel and clean fuels; recyclable material requirements for public entities modified.	4/4	
313	2647	2569*	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	4/4	
314	2840	2580*	Criminal prosecution estoppel provisions modified.	4/4	
315	3169	2881*	Housing; municipal low-income housing authority specified.	4/5	
316	3076	2612*	Funeral procession escort private vehicle authorized to use flashing red lights.	4/5	
317	3029	2680*	Energy building code requirements changed in certain instances.	4/5	
318	3058	2739*	Cities additional liquor licenses; hotel rooms liquor cabinets hours of sale restrictions exemption.	4/5	
319	2706*	3076	Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided.	4/5	
320	3030	3322*	Metropolitan Council existing service capacity external use provided.	4/8	
321	3034	2949*	Background check public criminal history data expanded.	4/8	
322	2841	2533*	Criminal offenders county correctional services costs payment.	4/8	
323	2684	2678*	Natural resources department provisions modifications.	4/8	
324	3432	3352*	Dry cleaner environmental response and reimbursement.	4/8	
325	3209	3054*	Petrofund consultant and contractor registration period modifications.	4/8	
326	3464	3174*	Money transmitters act small business category.	4/8	
327	1763	1811*	Public drainage systems jurisdiction transfer.	4/8	
328	1683	2150*	Technology circuits or systems contractors and power limited technicians.	4/8	
329	3125*	2987	Telecommunications access for communication-impaired persons program renamed.	4/8	
330	2988*	3023	Insurance licenses, fees, and coverages regulated; health care administration simplified.	4/8	
331	3497	3015*	Commerce Department insurance fraud prevention; crime of employment of runners.	4/10	
332	2719*	2827	Uniform athlete agents act providing student athlete agent registration adopted.	4/10	
333	1517*	1443	Swimming pool requirements established for family day care homes.	4/12	
334	2835	3028*	National and community service commission nonprofit corporation creation.	4/12	
335	2735	2457*	Civil commitment standards modifications; mental health system report.	4/16	
336	2763	2592*	Mutual insurance holding companies reorganization to stock companies.	4/16	
337	3537	3288*	Firefighters interest arbitration decision provision expiration date extension under PELRA.	4/16	
338	3455	3380*	Postnuptial contracts provisions modifications.	4/16	
339	2751	2650*	Credit unions regulation provisions modifications.	4/16	
340	3445	3238*	Nonprofit neighborhood organization members directors election, voting right notice option.	4/16	
341	3193	2957*	Dentist practice violations reporting requirements.	4/17	
342	3257	2988*	Financial institutions detached facilities, charges and fees, and mortgage prepayment penalties regulated.	4/17	
343	2687	3075*	Motor vehicle sales tax payment for sales in violation of dealer licensing requirements.	4/17	
344	3393	3114*	Child support obligors limited driver's licenses and payment agreements.	4/17	

◆ - veto overridden by the Legislature

† - Filed without signature

Continued from page 4

year system. Goodno said the change would mean a savings of around \$187 million, of which \$165 million would go to the budget reserves.

Sen. Dick Day (R-Owatonna) offered a proposal April 16 on behalf of the Senate minority caucus that he said represented a middle ground.

It accepts the Senate provision of the change to the education payment formula, as well as a shift in funding to human service programs of around \$36.9 million. The rest of the deficit would be addressed by a permanent transfer of \$100 million from the tobacco endowment fund.


House Minority Leader Tom Pugh (DFL-South St. Paul) said members of his caucus would be concerned with using tobacco funds to address the deficit and that the Senate Republican proposal did not address the issue of replenishing the state's budget reserve.

The Senate proposal offered April 17 would "blink" the cigarette tax on and off based on

the economy and the amount of the state budget reserve needed to deal with a deficit. Under the proposal, the tax increases would not be effective unless the state was facing a deficit. The rest of the Senate's original tax provisions were in the offer.

Goodno said there was no need for the committee to continue meeting until House and Senate leadership reach a global agreement. He said the budget bill is contingent on the work of other conference committees including transportation, bonding, and anti-terrorism. He said it was not productive for the two sides to continue to make "supposed proposals" to each other.


"I don't see a need for this if this is all we're going to do," he said. "We pretend we're making progress when we are not."

Sen. Len Price (DFL-Woodbury) questioned why the House position is contingent on whether the transportation bill includes a gas tax. He said it was important for the budget conferees to continue meeting to find some mutual ground. 

Continued from page 14

Poll respondents overwhelmingly used a dial-up connection with 13 percent using a high-speed digital subscriber line (DSL) or cable modem. The center polled 1,200 rural households between Jan. 21 and Feb. 2, 2001.

A more recent report by the Department of Administration indicates that 88 percent of communities in the Twin Cities metropolitan area had access to high-speed Internet connections as of March. Only about 18 percent of Greater Minnesota communities had similar access.

"So here's what it boils down to: the good news is that contrary to some concerns, rural Minnesotans are embracing the digital age and logging onto the Internet at rates equal to or higher than the national average," Geller wrote in a July 2001 column. "The bad news is that rural Minnesotans overwhelmingly connect to the Internet using slow, dial-up connections, due either to a lack of access to broadband services, or an inability to see how it benefits them at this time." 

BILL INTRODUCTIONS

APRIL 15, 2002

HOUSE FILES 3715 - 3716

Monday, April 15

HF3715—Dehler (R) Transportation Policy

Confiscated items at airports mailed to owners.

HF3716—Thompson (DFL)

Local Government & Metropolitan Affairs

Longevity pay for local elected officials prohibited.

COMMITTEE SCHEDULE

APRIL 22 - 26, 2002

MONDAY, April 22

10 a.m.

HF3203 Conference Committee

Department of Public Safety Housekeeping Bill
500S State Office Building

Chrs. Rep. Bill Kuisle, Sen. Steve Murphy

1 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, April 23

No meetings have been announced.

WEDNESDAY, April 24

8 a.m.

SF3172/HF3615 Conference Committee

Repeat sex offenders conditional release period extension and harassment and stalking crimes enhanced penalty provision modifications and expansion.

500S State Office Building

Chrs. Rep. John Tuma, Sen. David Knutson

THURSDAY, April 25

No meetings have been announced.

FRIDAY, April 26

No meetings have been announced.

Minnesota Memorials



Floyd B. Olson

The man remembered by many as a “Champion of the People” is memorialized at the corner of Constitution and Aurora avenues, between the State Office Building and the Capitol.

Sculpted by Charles Brioschi, the statue of Floyd B. Olson was dedicated in 1958.

As Hennepin County attorney, Olson earned a reputation for prosecuting corrupt businessmen, politicians, and racketeers. During this time Olson became a friend of labor, especially after winning a case against the Minneapolis Citizens Alliance, a group that hired a man to blow up a contractor’s home.

Olson’s political career began to take shape at about the same time.

In 1924 he was endorsed by the Hennepin County Farmer-Labor central committee for governor, and he later garnered the state party endorsement. He lost the election but did better than the democratic candidate.

Six years later Olson again earned the party’s nomination en route to becoming the first governor from the Farmer-Labor party. He easily won re-election in 1932 and 1934.

As governor, Olson continued his fight for labor and the state’s farmers. Among items passed during his leadership were public unemployment insurance, hour and wage bills for women, and a mortgage moratorium on farms.

After five-plus years as governor, Olson set his sights on the U.S. Senate. Like his run for governor, Olson easily earned the party endorsement. Some in the party even mentioned Olson as a presidential candidate in 1940.

His health would not allow higher office, however, as Olson was diagnosed with stomach cancer in 1935. He died in office on Aug. 22, 1936 at age 44.

He is buried in Lakewood Cemetery in Minneapolis.

An Olson tradition continues to live on each year. A bet in 1935 between Olson and Iowa Governor Clyde Herring gave birth to Floyd of Rosedale, the bronze pig awarded to the winner of the football game between the universities of Iowa and Minnesota.

(M. Cook)

Reflections

As the legislative session winds down, members continue to work on bills as they wait for a compromised budget and some other key bills to be worked out between the House-Senate conference committees. Many are still spending 12-16 hours a day working to support or oppose issues that affect the lives of Minnesotans.

Once they leave the Capitol, most will work on re-election campaigns and connecting with thousands of constituents in their current and new legislative districts. They will also go home to catch up with family activities and friends, as well as concentrate on their full-time professions and other activities.

Yet, since the state became a territory in 1849, it is difficult to find a legislator who could match the stunning, active nature of Joseph R. Brown, one of the founders of the state.



Joseph R. Brown

Brown was an original member of the Territorial Legislature and held offices that included secretary and chief clerk. Brown later served two non-consecutive terms in the state Legislature. Minnesota historian Theodore C. Blegen credited him as being “versatile and resourceful ... an exuberant worker for Minnesota Territory.”

Brown was 14 when he came to the territory as a drummer boy in 1819 with Col. Henry Leavenworth’s army to build Fort Snelling. By age 17, he had learned the Sioux language, and with Joseph Snelling, son of the Fort’s commandant, he searched for the source of Minnehaha Falls and located Lake Minnetonka. At age 19 Brown became principal musician and leader of Fort Snelling’s band.

As diverse and talented as legislators are today, Brown outdid them. By the time he died at age 65, he was a lumberman,

grogshop owner (otherwise known as a saloon), American Indian agent, fur trader, officer in Gen. Henry Sibley’s army, and inventor of a “steam wagon” that traveled at 40 mph.

Sibley was the state’s first governor in 1858.

As a land speculator, Brown founded an area he named “Dakotah,” but the city of Stillwater outgrew it and merged with it. Later Brown founded the town of Henderson. The town of Browns Valley and

Brown County are named in his honor.

While pursuing many goals, he was a confidant to important leaders of the day and editorial manager of the *Minnesota Pioneer* newspaper — now the *St. Paul Pioneer Press* — after its founder, James Goodhue died. Brown’s persona, as well as his name, was used by author Sinclair Lewis in his novel,

The God-Seeker.

In 1846, when Minnesota was still part of the Wisconsin Territory, Brown was involved in many governmental projects that laid the foundation for the state to enter the Union. He worked closely with Sibley and others in sharing his experiences as a justice of the peace and a one-term legislator for St. Croix County. He even suggested the territory be named “Minasota” but Congress decided it should be Minnesota when it was established.

While overall achievements in the lives of legislators are noteworthy, Joseph Renshaw Brown’s accomplishments are incredible. No wonder he was called “The most remarkable man who ever appeared in the Northwest.”

—LECLAIR GRIER LAMBERT

Photo courtesy of the Minnesota Historical Society

Where to find information

Chief Clerk’s Office

211 State Capitol (651) 296-2314

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

House Index Department

211 State Capitol (651) 296-6646

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

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

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

MINNESOTA

I N D E X

On the road

Total miles of roads and streets in Minnesota, as of October 2001	132,251
Miles under state control	11,928
As percent	9
State rank by percentage	44
Number of highway projects planned statewide for 2002	246
Approximate total costs of new and continued projects	\$1 billion
Federal money used for the projects, in millions	\$499
Total interstate and non-interstate highway funds authorized to the state for fiscal year 2002 from the Federal Highway Administration, in millions	\$458
Average amount received in federal highway transportation dollars since 1990 for every dollar Minnesota sends to Washington D.C.	\$1.10
Amount received for transit for every dollar sent	\$0.76
Vehicle miles of travel in the state in 2000, in billions	52.6
Billions in 1991	30.25
Approximate percentage of roadway miles added in that time	2
Miles traveled in Minnesota per capita in 2000	10,692
U.S. average	9,771
Miles of interstate highway travel in 2000, in billions	11.9
Percentage of all state travel	22.6
Billions of miles in 1991	8.05
Percent of state interstate mileage in "unacceptable" condition, as defined by the Federal Highway Administration	0
National average, as percent	3.4
Bridges in Minnesota in 2001	12,830
Percentage deficient	13.9
State rank	49
Percentage deficient in lowest ranked state (Arizona)	10.6
Percentage of deficient state bridges in 1995	22
Minnesota drivers using seat belts in 2000, as percent	73.4
National average	73
State percentage in 1992	56
Number of highway fatalities in state during 2000	625
In 1990	566
In 1975	754
Millions of licensed drivers in Minnesota in 2000	2.94
Millions in 1991	2.55
Number of drivers per 1,000 driving age population	777
State rank	49
Number in only state lower (New York)	735
National average	878

Sources: Minnesota Department of Transportation; Minnesota Department of Public Safety; 2002 State Rankings: A Statistical View of the 50 United States; CQ's State Fact Finder 2002; Gale State Rankings Reporter, 1995; U.S. Department of Transportation

FOR MORE INFORMATION

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

APRIL 26, 2002

VOLUME 19, NUMBER 13

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STATE OPERATED SERVICES

HISTORY OF SCHOOL DISTRICTS, AND MORE

HF3717

Session Weekly

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

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On the cover: The statue of Maj. Gen. James Shields, one of four statues of Civil War generals on the second floor of the Capitol Rotunda, stands guard over the Capitol. Shields defeated Stonewall Jackson at the battle of Winchester, Va. in 1862. He also served as a U.S. Senator from Illinois, Minnesota, and Missouri.

—Photo by Tom Olmscheid

Sticking point

State Operated Services among major issues legislators struggle to resolve in budget balancing negotiations

By SARAH MCKENZIE

The Legislature and the Ventura administration have been at odds over cuts to the State Operated Services (SOS) system this session — a network of community-based facilities serving the mentally ill, disabled, and chemically dependent.

While lawmakers and state officials agree they want to maintain a high standard of patient care, there is considerable disagreement about how to proceed on spending reductions and whether to close certain facilities.

In January Gov. Jesse Ventura released a plan calling for consolidation and relocation of a number of regional treatment centers run by the Department of Human Services. The proposal was largely rejected by the Legislature.

However, Rep. Kevin Goodno (R-Moorhead), chair of the House Health and Human Services Finance Committee, has maintained those cuts were meant to trim administrative expenses, not direct care.

The governor's plan called for the following:

- relocating nursing home services at the Ah-Gwah-Ching Center in Walker to the state nursing home in Brainerd;
- moving adult mental health services at Fergus Falls Regional Treatment Center to community programs in northwestern and west-central Minnesota;
- moving the Willmar Regional Treatment Center adult mental health program to the St. Peter Regional Treatment Center; and
- vacating the Ah-Gwah Ching campus and

portions of the Fergus Falls and Willmar campuses, allowing for other uses of the properties.

Human Services Commissioner Michael O'Keefe said the plan would keep or increase the current level of direct patient care.

"Because of the expected revenue shortfall, we are accelerating plans set in 1998 to reduce the infrastructure and

simplify the administration of SOS," O'Keefe said. "These actions will allow resources to be focused on client care instead of overhead to maintain outdated, surplus infrastructure."

Goodno said there has been little support for the administration's plan.

"There was a commitment to maintain those facilities," Goodno said.

Rep. Luanne Koskinen (DFL-Coon Rapids), who serves on the health and human services



PHOTO BY ANDREW VON BANK

The House Rules and Legislative Administration Committee debates a resolution at its April 22 meeting to have the House recess until May 6. Members noted that budget negotiations are not progressing and suggested the recess to allow members time to go back to their districts while negotiations continue.

Instead, lawmakers approved across-the-board department spending cuts — \$8.9 million in 2003 and \$4.8 million in 2004-05. The cuts were included in the March budget-balancing law, which addressed a projected \$1.9 billion deficit for the current biennium.

Department officials have argued that the initial budget-balancing law forced them to lay off hundred of state workers and subsequently lengthen waiting lists for services.

Committee approves recess, but full House takes no action

The House Rules and Legislative Administration Committee approved a resolution April 22 that would provide for a 10-day recess. But the full House took no action on the proposal, making a recess as defined by the resolution unlikely.

The committee resolution would have allowed the House, upon adjourning its daily session April 25, to set its next meeting date for Monday, May 6. The state constitution provides that neither house may adjourn for more than three days, Sundays excepted, without the consent of the other body.

The Senate would not have to recess; it would merely have to vote to consent to the House resolution. As a result, the Senate could continue to meet and use up legislative days while the House recessed.

As of April 25, the Legislature has used 102 of its 120 legislative days. The House is scheduled to meet in regular session April 29.

Speaking in favor of the resolution, House Majority Leader Tim Pawlenty (R-Eagan), committee chair, said the resolution would allow most members to return to their districts while budget negotiations continue. Pawlenty said legislative leaders are not making much progress.

"The negotiations have ground to a near halt," Pawlenty said at the meeting. "Progress has been slow and not particularly meaningful. It is not going well."

House Speaker Steve Sviggum (R-Kenyon) echoed Pawlenty's comments, saying the recess would allow members to go home and not have to be away from their families or draw per diem payments.

Said Pawlenty, "It's a window whereby conference committees could work, and the rest of the members could go out and clear their heads for awhile."

DFL committee members questioned the timing of the resolution and its effectiveness. They said that it doesn't make sense to send members home and take the pressure off negotiators if things aren't going well.

"Where's the urgency?" asked Rep. Ted Winter (DFL-Fulda).

House Minority Leader Tom Pugh (DFL-South St. Paul) asked why May 6 was chosen. The date falls immediately after the state DFL convention set for May 3-5, where DFL delegates will nominate a candidate for governor.

Senate Majority Leader Roger Moe (DFL-Erskine), a key negotiator, is seeking the party endorsement for governor. Pawlenty is also running for governor, but the state Republican convention is not until June.

Sviggum said the convention might have affected the dates chosen for the proposed recess, claiming the Senate has not been willing to negotiate. He said it would provide a break and would still allow enough time for the Legislature to finish its work before the May 20 constitutional deadline.

The resolution awaits approval by the full House and consent from the Senate.

(M. KIBIGER)

finance and policy committees, concurs.

She said the proposed moves would be disruptive to the clients served at the treatment centers. Koskinen added that Ah-Gwah-Ching, in particular, has specialized treatment programs that would be difficult to duplicate elsewhere.

The facility serves individuals with severe behavioral problems. In 2000 the Legislature overrode a gubernatorial veto of a bill calling for the center to remain open.

The Legislature, however, did signal that it would approve a downsized treatment center in Fergus Falls in the budget balancing law.

As for talks on proposals to shore up the remaining \$439 million budget deficit, House and Senate conferees working on the second budget-balancing bill continue to debate further cuts to State Operated Services.

The House has proposed shifting \$5.2 million from a State Operated Services account to the general fund for fiscal year 2002.

House members have identified the money as a surplus generated in the account. Goodno has argued the Legislature should have more oversight of the department's revenue accounts.

Lawmakers and state officials have expressed disagreement about the impact of that move. The Senate's budget proposal does not include the funds shift.

As part of the ongoing exchange of budget compromise solutions between House and Senate leaders in recent weeks, the House has agreed to restore \$3.4 million in cuts to regional treatment centers, including \$1.4 million to prevent the closure of the Fergus Falls center.

However, conferees have exchanged offers, but they have not voted on specific language.

The State Operated Services system represents the following community-based programs:

- regional treatment centers in Anoka, Brainerd, Fergus Falls, St. Peter, and Willmar;
- Ah-Gwah-Ching, the state nursing home in Walker;
- the Eastern Minnesota State Operated Community Services and Northern Network East — a group of programs in northeastern Minnesota for individuals with mental illness, drug problems, and disabilities; and
- Forensic Services, which includes the Minnesota Security Hospital in St. Peter, the Minnesota Sex Offender Program in Moose Lake and St. Peter, and the Minnesota Extended Treatment Options program in Cambridge. 🐾

Correction

A resource list provided in the April 19 issue of *Session Weekly* misidentified the Web site for the Department of Economic Security.

Please note the Web site should be www.mnwfc.org.



All aboard

Thousands of homeless and neglected children left the East on orphan trains seeking 'Midwestern morality'

Some of the first charges of Minnesota's foster care system had been sent from the East, with the hopes of a better, more stable life.

In 1853, the New York Children's Aid Society began transporting trainloads of orphaned and neglected children to new homes in the West. The idea was also later adopted by other charities along the Eastern seaboard.

This Emigration Plan, as the children's society called it, was designed to save the thousands of homeless children who were straining New York's limited social services in the mid-19th century. Organizers believed the orphan trains, as they later became known, were the best alternative to life on the streets that could lead to prison, prostitution, or the poor house.

The movement brought westward an estimated 200,000 children between the 1850s and 1920s, including more than 3,500 of them to Minnesota.

"The object of the coming of these children is to find homes in your midst, especially among farmers, where they may enjoy a happy and wholesome family life, where kind care, good example and moral training will fit them for a life of self-support and usefulness," reads a handbill heralding the arrival of a company of orphaned children to Winnebago, Minn., on Jan. 11, 1907.

Usually, the children were trotted out for review in a large gathering space such as a church or a courthouse.

"It was a pathetic sight, not soon to be forgotten, to see those children and young people, weary, travel-stained, confused by the excitement and unwonted surroundings, peering into those strange faces," wrote Rev. Hastings H. Hart, secretary of the Minnesota Board of Corrections and Charities. "There was little time for consultation, and refusal would be embarrassing; and I know that the committee consented to some assignments against their better judgment."

Many of these so-called orphans found loving homes or decent care at the very least and thrived in their new surroundings. Two notable "riders" were John G. Brady and

Andrew H. Burke, who rolled out of New York City on the same train bound for Indiana and grew up to govern the Alaska Territory (1897-1906) and North Dakota (1891-93), respectively.

But there was a tragic side to the placements, too. Children were encouraged to break ties with the family they left behind,



Needy children ride an orphan train bound for the West in 1904.

which often included siblings and at least one living biological parent. Some prospective parents were looking for children to love; others were merely looking for farm hands. And although agents were employed to check on the youngsters, hap-

azard supervision left the door open for abuse or exploitation.

The most notorious of the orphan train placements, Charley Miller, rebelled against what he alleged was brutal treatment on a Minnesota farm and took to riding the rails. He later killed two young men in Wyoming and was hanged for the crime at the age of 15. The sensational newspaper accounts of Miller's life and its fateful end fueled a growing sentiment against orphan trains.

In 1884, Hart was the first to present an independent critique of the program to a national child welfare board. His findings prompted the 1899 Legislature to pass a law requiring charities to register with the state, screen prospective families more carefully, and beef up post-placement monitoring.

Minnesota was one of the first states to regulate placement of children from other states. Today, all 50 states, the District of Columbia and the U.S. Virgin Islands have signed a compact designed to track children and supervise adoptions across state lines.

While the orphan train movement has been both romanticized and demonized in various plays, books, documentaries, and fictional accounts, perhaps its most important legacy is that the riders' stories prompted the creation of a more heavily scrutinized child welfare system across the nation.

(N. Wood)

Photo courtesy New York Children's Aid Society

★ BUSINESS

HMO cost-sharing increases

Enrollees of health maintenance organizations (HMOs) may be paying more in deductibles and copayments.

A provision for HMO cost-sharing was one of the amendments attached to the Department of Commerce housekeeping bill (HF2989/SF3024*) on the House floor April 22.

The House passed the bill 96-35. It now returns to the Senate.

HMOs would have more flexibility under the amendment, which was sponsored by Rep. Fran Bradley (R-Rochester).

If the law doesn't change, "HMOs will cease to exist in five or six years," said Rep. Thomas Huntley (DFL-Duluth).

The maximum annual deductible would be raised from \$1,000, the current limit, to \$5,000 per person or \$10,000 per family.

The maximum annual out-of-pocket expense is presently \$3,000 per person and \$5,000 per family. This amount would be raised to \$8,000 and \$15,000. The maximum copay would go from 25 percent to 50 percent.

Several businesses and the Minnesota Chamber of Commerce support the legislation.

However, the amendment met some opposition on the House floor.

"This is a hard hit on the pocketbooks of Minnesotans," said Rep. Betty Folliard (DFL-Hopkins).

The amendment was adopted.

Another of the bill's provisions would allow cosmetologists, manicurists, and estheticians from other states to obtain reciprocal licenses.

The bill originally increased the number of hours from four to seven that a real estate appraiser must spend in continuing education about the laws regulating standards of professional practice. But Rep. Ray Vandever (R-Forest Lake), with a successful amendment, deleted that new provision. He called it "an unnecessary bureaucratic requirement."

Another successful amendment, sponsored by Rep. Greg Davids (R-Preston), would prohibit suppliers of agriculture products — seed corn dealers or cooperatives — from offering discounts to entice a customer to buy insurance. These suppliers can still offer insurance, Davids said, but they just wouldn't be able to offer a discount relating to the sale of it.

Rep. Bill Haas (R-Champlin) and Sen. Linda Scheid (DFL-Brooklyn Park) are the bill sponsors.

★ CRIME

New punishment

Signed
by
the
governor
★ ★ ★

Activist groups and others who take credit for crimes will face a tougher penalty, under a new law signed April 24 by Gov. Jesse Ventura.

The law is designed to discourage activist groups from taking responsibility for crimes, sponsor Rep. Tom Workman (R-Chanhassen) said during the House debate.

By a 119-8 vote, the law was passed by the House April 15. The Senate did the same 57-0 three days later. Sen. Dave Kleis (R-St. Cloud) also sponsored the law.

The change makes it a gross misdemeanor for people to assume responsibility for crimes they have not been convicted of in order to impede, prevent, or obstruct a criminal investigation. This provision takes effect Aug. 1, 2002.

It also allows those who destroy crops, animals, or other organisms used for research to be civilly liable for up to three times the amount of the value of the damage, including the estimated value of the research related to the organisms or items destroyed. That change takes effect July 1, 2002.

A \$100,000 fine could be assessed to compensate for any delays in research resulting from the crime.

Workman has said the bill is aimed at groups such as the Earth Liberation Front, which publicly took credit for millions of dollars worth of damage when a January fire damaged a lab at the University of Minnesota's Microbial and Plant Genomics Research Center.

HF3048/ SF2460*/CH348

Restricting sex offenders

Six lawmakers have begun discussing proposed changes to the way the state handles sex offenders.

Members of a conference committee met April 24 to work out differences between the House and Senate version of the bill (HF3613/SF3172*). They debated several House provisions that were added to the bill during floor debate.

Rep. John Tuma (R-Northfield) and Sen. Dave Knutson (R-Burnsville) are the bill sponsors.

Much discussion focused on where level 3 sexual offenders, those who are most likely to re-offend, live once they are released from custody.

Rep. Karen Clark (DFL-Mpls) encouraged

Senate members to accept a House provision that bans such offenders from living within 1,500 feet, or about three city blocks, of each other. Another provision would prohibit them from living within 1,500 feet of parks or schools.

Some neighborhoods in Minneapolis have very high concentrations of offenders, while other areas in the city and around the state don't have any, she said.

Will Alexander, the Department of Corrections community notification director, said the provisions would make it even harder for sex offenders to find housing.

"This renders the entire city of Minneapolis off-limits except for a few blocks," he said.

Another provision would extend the advance notice that a level 3 sex offender must give before moving into a new residence from five to 21 days.

In cases where advance notice is not possible, it would require a notice to be posted at the residence until public meetings can be held to inform neighbors.

Annmari O'Neill, a program administrator with the Bureau of Criminal Apprehension, called the plan "unenforceable," noting that many offenders drift from one home to the next.

"Most don't know what they're doing tomorrow, let alone 21 days from now," she said.

Other provisions discussed include one that would prevent landlords receiving money from the state to house victims of domestic abuse from renting to sex offenders at the same time, and information presented at community notification meetings would have to be translated in up to three different languages.

Identical sections of the House and Senate bills would extend the probation period to 10 years if a sex offender has multiple convictions, including convictions from other states or the federal government.

Also agreed upon is a section that would make it a felony for people to harass or stalk children with sexual or aggressive intent if the offender is more than three years older than the victim.

The committee passed only the identical sections of the bill, and plans to meet again to discuss the House provisions.

★ ENERGY

Energy plant study

A bill that would have ordered the construction of an energy plant on the Iron Range may be reduced to a study. New language would instruct the commerce commissioner to assess criteria that could be used to evaluate and select bids for a plant.

The commissioner would have to hold public hearings to assist in the evaluation, and present a report of the findings to the Legislature by Jan. 15, 2003.

The proposal for the study was introduced as an amendment to the economic development omnibus bill (HF3648/SF3431*) at the April 23 meeting of the House-Senate conference committee. Rep. Dan McElroy (R-Burnsville) and Sen. Ellen Anderson (DFL-St. Paul) are the bill sponsors.

"We're doing as much as we can to keep the project alive without putting it in law," said Rep. Ken Wolf (R-Burnsville). Wolf is chair of the House Regulated Industries Committee, and he sponsored major energy legislation that became law in 2001.

The original bill, sponsored by Sen. David Tomassoni (DFL-Chisholm), called for a state-of-the-art coal-burning plant to be constructed on the Iron Range. That legislation was sized down to require the Public Utilities Commission to draft new criteria for reviewing energy plant proposals. Wolf spoke strongly against both bills because neither had received a House hearing and both needed to go through the legislative process, he said.

McElroy, co-chair of the conference committee, said he thought it was important to move forward on the legislation this year for economic development reasons. He cited good-paying jobs, property tax revenue, state control over environmental concerns, and reduced energy transmission costs.

"I'm comfortable setting this aside for awhile," said Sen. James Metzen (DFL-South St. Paul).

The conference committee took no final action on the plan.

apply to any agricultural use of phosphorus.

In Greater Minnesota, a small amount of phosphorus will be permitted in liquid and granular fertilizers.

The restrictions take effect Jan. 1, 2004.

Phosphorus overuse has been linked to algae overgrowth — vegetation that chokes other aquatic life in many water bodies.

The law immediately preempts local ordinances restricting the sale or application of the nutrient for farming uses.

Other local ordinances regulating the use of phosphorus on grass will be grandfathered in if they are adopted before Aug. 1, 2002.

Applying the fertilizer to any impervious surface, such as a street, sidewalk, or parking lot, is also prohibited under the new law.

Rep. Peggy Leppik (R-Golden Valley), a sponsor along with Sen. Linda Higgins (DFL-Mpls), said a statewide policy is necessary to establish uniformity and avoid perpetuating a confusing "patchwork of local ordinances" regulating phosphorus.

Meanwhile, Rep. Mark Buesgens (R-Jordan), who voted against the bill, said fertilizer regulation should remain locally controlled.

"We shouldn't be dabbling in everything under the sun," he said.

The agriculture commissioner, along with the University of Minnesota Extension Service, the fertilizer industry, and lake groups, are required to provide consumers with best practices information on lawn fertilizers under the law. The commissioner is also required to report to the Legislature on the effectiveness of phosphorus-fertilizer restrictions by Jan. 15, 2007.

A violation of the law will be a petty misdemeanor.

HF1524/SF1555*/CH345

Sewage provisions

The Minnesota Pollution Control Agency would not be required to issue rules related to individual sewage treatment systems for a temporary period, under a bill passed April 22 by the House.

The bill (HF3129/SF3134*) cleared the House floor on a 129-0 vote after members approved a motion to insert the House language into the measure. The Senate, which previously passed it 63-0 on March 20, called for a conference committee to work out differences between the two versions.

Rep. Mark Holsten (R-Stillwater) and Sen. Linda Higgins (DFL-Mpls) are the bill sponsors.

Specifically, the bill states that the agency would not be required to "add, remove, or reclassify" individual sewage treatment system "technologies, designs, or system components" through rulemaking or existing rules until July 1, 2003.

Typically, the systems must pass muster with the state's Pollution Control Agency before they can be installed.

The bill would also repeal state law allowing the Pollution Control Agency to issue grants and loans to local governments and businesses for waste tire programs.

Members also approved an amendment to the bill that would require that items in appliances that may contain PCBs or chlorofluorocarbons be removed in a closed facility if the activity takes place within 500 feet of a public water body. The bill would designate that point as the water body's "ordinary high water level."

The Senate-passed version of the bill has a broader scope. It would also direct the PCA

★ ENVIRONMENT

Phosphorus-free grasses

Signed
by
the
governor
★ ★ ★

The application of phosphorus fertilizers on lawns in the Twin Cities metropolitan area will largely be banned under a new law.

Gov. Jesse Ventura signed the measure April 19 after the House passed the conference committee report 115-14 on April 15. It cleared the Senate 58-1 earlier in the day.

The new law prohibits the use of phosphorus-based fertilizer in the seven-county metropolitan area unless a soil test conducted within the past three years determines there is a need for the nutrient. Property owners laying sod for the first time and licensed professionals applying fertilizer on golf courses will be exempt from the ban. It also does not

WHAT A DIFFERENCE . . .



PHOTO BY TOM OLMSCHIED

Legislative employee Troy Lawrence passes under a snowy arch of branches April 22 as he makes his way into the State Office Building. One week earlier it was 90 degrees in the Capital City.

to report back the Legislature by Jan. 15, 2003 on the agency's water quality permit program.

The study would be required to address the agency's water permit backlog, including an examination of the number of facilities operating with expired permits and the number of on-site inspections. The Senate bill would also establish a central Iron Range sanitary sewer district.

★ GAME & FISH

Studying ATV use

A game and fish omnibus policy bill calling for a motorized trail task force to study all-terrain vehicle use is on its way to the governor.

The House passed the conference committee report (HF2920/SF2674*) 124-7 on April 22 after it cleared the Senate earlier in the day on a 60-0 vote.

Rep. Dennis Ozment (R-Rosemount) and Sen. Jane Krentz (DFL-May Township) are the bill sponsors.

Under the bill, the Department of Natural Resources (DNR) would be directed to create the task force and report back to the Legislature by Jan. 15, 2003 with recommendations on a number of ATV-related issues. Those issues include trail development and ways to minimize environmental impacts such as soil erosion and loud noise.

Ozment proposed the task force as a compromise measure. Environmental groups and recreational motorized user groups have signaled support for the planned study.

During floor debate, Rep. Alice Hausman (DFL-St. Paul) questioned whether a task force would do enough to address the issue, noting pressure has been building in both bodies to add more restrictions to ATV use.

"Do we potentially slow down that momentum and get in the way of the DNR?" she asked.

In response, Ozment noted that another ATV-related bill is advancing in the Legislature.

The bill (HF2970), sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. LeRoy Stumpf (DFL-Thief River Falls), would ban cross-country ATV travel for non-hunters in state forests. It would also appropriate \$1.2 million for trail maintenance and monitoring activities.

Hackbarth said House and Senate conferees are close to resolving their differences on the measure.

The game and fish omnibus bill would also allow limited prairie chicken hunting and ban the use of motorized duck decoys during the beginning of the duck-hunting season.

Additionally, restrictions would be placed on recreational shining — the practice of

CAPITOL IDEA



PHOTO BY TOM OLMSCHIED

Fourth-grade students from St. Croix Catholic School in Stillwater don their Capitol dome hats as they look over a House gallery railing to locate the voting buttons on members' desks during an April 24 tour.

using car headlights or flashlights to spot deer. Shining lights onto residential properties from a moving motor vehicle would be banned between 6 p.m. and 6 a.m. It would also be prohibited on agricultural land at night if the area were posted with signs banning the activity.

The bill would also make modifications to deer hunting regulations. It would permit a lifetime deer hunting license by archery in addition to firearms, currently allowed under state law. Hunters with an all-season deer license would be permitted to take one doe in addition to a buck under another provision.

Further, commercial turtlers would see a license fee increase under the bill. The fee for selling turtles would increase from \$70 to \$250. A recreational turtle license would be \$25 and a turtle seller's apprentice license would be \$100.

★ GOVERNMENT

Emergency call center funds

A 911 emergency services bill was amended to cancel a deficit in funds for emergency call centers around the state.

Rep. Matt Entenza (DFL-St. Paul), the amendment sponsor, said the deficit is a result of the enhanced service for mobile phones.

The House passed the measure (HF2550/SF2392*) 114-17 on April 22. It now returns to the Senate for approval.

The amendment would use \$31.8 million of state money, and would also pay for additional equipment to develop advanced call locator systems and to meet the increased

demand of calls, which have mostly come from mobile phones.

Sponsored by Rep. Mike Osskopp (R-Lake City) and Sen. James Metzen (DFL-South St. Paul), the bill makes several technical changes to 911 emergency services to reflect technological changes, such as wireless telecommunications.

It also makes several changes to streamline the process by which phone companies are reimbursed for 911 services, which will help small telephone companies, Osskopp said.

Under the plan, the Public Utilities Commission would be removed from the billing process. Currently, the commission signs off on payments from service providers who are being reimbursed for providing 911 services.

Additionally, the bill would require that the Department of Administration, which handles the reimbursements, pay the invoices within 30 days, instead of 90 days, as is in existing law.

The bill is supported by the Minnesota Telephone Association.

★ HEALTH

Organ donation

Gov. Jesse Ventura signed a law April 24 that will ensure that the wishes of people who intend for their organs be donated when they die are honored by their families.

The law, called the Darlene Luther Anatomical Gift Act, will make sure that people who designate themselves as organ

Signed
by
the
governor
★ ★ ★

donors on their driver's licenses ultimately become donors. It is effective April 25, 2002.

Rep. Phyllis Kahn (DFL-Mpls), who sponsored the measure with Sen. Jane Ranum (DFL-Mpls), said most people assume that marking the box on their driver's license form means they will be a donor.

But that designation is often ignored or overridden by family members after the person's death, she said.

Donors would still be able to change their donor designation at any time, she added.

Effective Dec. 1, 2002, an additional provision requires that people applying for a driver's license or state identification card be given information about organ donation. That information includes a description of donation, the importance of letting family members know of one's wishes, and a telephone number of a certified Minnesota organ procurement organization one may contact for more information.

The law is named after the late Rep. Darlene Luther (DFL-Brooklyn Park). Luther, who died Jan. 30 of cancer, had received a liver transplant.

HF2473*/SF2807/CH349

HUMAN SERVICES

Treatment changes

A human services policy bill passed by the House April 22 would allow registered nurses to issue medication and vaccines that require prescriptions to patients under certain conditions.

Members voted 129-0 to pass the bill (HF3350), sponsored by Rep. Jim Abeler (R-Anoka).

It now goes to the Senate where Sen. Sheila Kiscaden (R-Rochester) is the sponsor. The Senate companion would establish a donated dental services program.

House members defeated an amendment that would have transferred \$30 million from a cash-flow account to increase state payments to nursing homes.

Under the bill, nurses would be allowed to implement a protocol that does not apply to a specific patient but has been approved by a licensed practitioner to treat symptoms associated with a particular medical condition.

A conference committee met April 25 to work out differences in another bill related to nurse protocols (HF3359).

The bill would also allow a clinical nurse specialist to petition the Minnesota Board of Nursing before July 1, 2007, for a waiver from a certification requirement. The certification requirement relates to an advanced practice registered nurse designation.

Another section of the bill would establish the Department of Human Services commissioner as the designated state agent for carrying out responsibilities related to the federal Ryan White Comprehensive AIDS Resources Emergency (CARE) Act. Previously the Department of Health served that role.

Further, the measure would exempt antihemophilic factor drugs prescribed to treat hemophilia and blood disorders from prior authorization requirements if there are no generically equivalent drugs available. The commissioner, however, could require prior authorization if it were needed to ensure patient safety.

The final section of the bill would allow social services providers contracted by the county to treat foster care children in order to continue providing services to children who move to a different county.

INSURANCE

Health coverage

A new law will allow the state's health commissioner to create five rural health maintenance organization projects for the purposes of expanding insurance coverage to people in Greater Minnesota.

Gov. Jesse Ventura signed the measure April 19 after the House and Senate passed a conference committee report by wide margins April 15.

The vote in the House was 130-0, and it passed 60-0 in the Senate.

Sponsored by Rep. Maxine Penas (R-Badger) and Sen. Dallas Sams (DFL-Staples), the new law allows the state to waive some HMO-related regulations so policyholders can create more flexible purchasing coalitions.

In drumming up support for the bill on the House floor, Penas spoke of the difficulty many rural Minnesotans face in securing health insurance.

A study by the Center for Rural Policy and Development at Minnesota State University, Mankato indicates that 33 percent of full-time workers don't have access to employer-sponsored health insurance while 85 percent of part-time workers lack access.

The purchasing coalitions are intended to create larger pools of policyholders, which are expected to lower premiums for most customers.

Project participants will also be allowed to individualize health plans more tailored to their medical needs.

The health commissioner and purchasing coalition will be required to make annual progress reports to the Legislature. A final

report detailing the following will be required five years after the project begins:

- the project's impact on the number of uninsured in the area,
- the effect on health insurance premiums for both those enrolled in the purchasing coalition and those not participating, and
- the level of participation among enrollees in designing the project.

The law is effective April 20, 2002.

HF2935/SF2909*/CH346

LAW

Motor vehicle records

The House passed a bill 131-0 April 18 that would allow members of the media to access motor vehicle records kept by the state if the information requested is related to the operation of a motor vehicle or public safety.

The bill (HF2649/SF2448*) also gives the public safety commissioner the authority to deny such requests if he or she feels the person asking for the information is likely to use the data for illegal, improper, or non-investigative purposes.

Rep. Steve Smith (R-Mound), the House sponsor, said the bill is a technical change that corrects what appears to be an oversight. A measure passed in 1996 changed Minnesota's law regarding driver's license records to comply with federal regulations, but excluded motor vehicle records.

The bill was amended on the House floor to reflect changes worked out with Public Safety Commissioner Charlie Weaver, Smith said.

During a Feb. 13 House Civil Law Committee meeting, Jeff Kummer, projects editor at the *St. Paul Pioneer Press*, said the newspaper has used the vehicle records in the past to do investigative stories, such as a series about chronic drunken drivers.

Without the use of the information in the database, such public interest stories would be impossible, he said.

The federal Driver's Privacy Protection Act passed by Congress in 1994 protects the privacy of driver's license information and vehicle registration laws. The law allows states to grant 14 exceptions when information can be released.

The Senate voted April 22 to not accept House changes, and a conference committee was appointed to work out the differences.

Sen. Don Betzold (DFL-Fridley) is the Senate sponsor.

★ SAFETY

A sparkling idea

Sparklers are in, but other fireworks are not part of a plan to legalize some fireworks now on its way to the governor.

The House repassed a bill (HF2525/SF2960*) April 22 by a 78-49 vote that would allow people 18 and older to purchase certain fireworks including sparklers, snakes, and glow worms, and trick noisemakers for use on private property in the state.

On a 34-30 vote, the Senate repassed the bill the same day.

Under the measure, people under the age of 18 would be prohibited from purchasing the items, and photo identification would be required at the time of the sale.

Sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. Debbie Johnson (R-Ham Lake), the bill originally dealt with extending volunteer firefighters' benefits by prohibiting employers with at least 10 employees from taking disciplinary action against an employee who misses time while performing volunteer fire fighting duties. However, those provisions were removed in conference committee.

The House version of the bill sent to conference committee would have permitted the sale and use of federally approved fireworks during periods around July 4 and New Year's Day.

Rep. Mark Holsten (R-Stillwater), who originally offered the fireworks-related provisions as a separate bill (HF1543), said the compromise reached in the conference committee was to allow the sale of "novelty" items.

"There's no rockets red glare. There's no bombs bursting in air anymore," Holsten said.

Rep. Wes Skoglund (DFL-Mpls) said the bill would lead to the eventual legalization of other fireworks. He also pointed out that the original bill was about firefighters and "now it's a bill against firefighters."

"It's a bill that's going to start fires. It's a bill that's going to cause injuries. It's a bill that's not good for the children in the state," he said.

Red may mean 'go'

Motorcyclists may soon be able to legally drive through red lights if their motorcycle isn't detected by the stoplight, but bicyclists with similar problems might be out of luck.

Workers at the official Governor's Residence also appear to be out of luck and will soon be out of a job, as a conference committee working on the Department of Public Safety housekeeping bill approved the bill without a provision to keep the house open.

Gov. Jesse Ventura ordered the house to be



Gov. Jesse Ventura made an unannounced visit April 24 to the House-Senate conference committee working on the Department of Public Safety housekeeping bill (HF3203) to answer questions regarding the announced closure of the Governor's Residence. Ventura has said he will close the residence April 30 unless the Legislature restores \$175,000 of total cuts to the governor's office security budget. Conferees rejected a proposal that would have required Ventura to keep the house open for ceremonial purposes, but they did not vote on funding restoration.

closed April 30 in response to the Legislature's decision to cut \$175,000 from the governor's security detail contained in the law authorizing the first phase of budget reductions.

After a surprise visit by Ventura on April 24, an attempt to block the closing of the residence failed, and the provision was not included in the final package.

Included in the bill is language that would pave the way for online driver's license renewals by allowing the department to adopt rules related to how it administers eye exams when people apply for license renewals.

Patricia McCormack, driver and vehicle services program director, told committee members April 22 that the department is looking into ways to give the vision test online, or allow people to send in a certificate from an eye doctor.

Members also agreed to an exception of a requirement that airports match any federal funds. The one-time exception would allow airports in the state to receive federal money as part of the federal anti-terrorism package passed last fall in response to the events of Sept. 11.

Also included was a provision that would allow the adult spouse or close family member of a driver under age 18 to sign the license application if the minor is married or legally emancipated.

Rep. William Kuisle (R-Rochester) and Sen. Steve Murphy (DFL-Red Wing) are sponsors of the bill (HF3203).

In addition, committee members approved a provision that would allow special license

plates for veterans. The plates would read "Proud to Be a Veteran" and would be available to all veterans regardless of their specific service.

A measure that would level fees charged for certificates of title was scrapped after Senate members said they would have trouble getting the measure passed on the floor.

A provision requested by Rep. Sharon Marko (DFL-Cottage Grove) would provide \$400,000 for one year of increased bus service during work on the Wakota Bridge that spans the Mississippi River in South St. Paul.

That provision was adopted and the final report of the conference committee will now return to the full House and Senate for consideration.

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

Nobody's perfect

Omission leads to debate between House, Senate conferees trying to make traditionally noncontroversial bill accurate

By LISA HILTON

The final rushed minutes of last year's special session produced a few technical errors that are now giving members a first-hand lesson in the old adage "Haste makes waste."

In the early morning hours of June 30, 2001, as both houses were scurrying to pass final spending bills, a six-word sentence was inadvertently misplaced in the massive omnibus state government finance bill.

Now, some House and Senate members must decide whether the Legislature should correct that mistake.

With thousands of bills each session, there are occasional, inadvertent omissions in the bills prepared by the Office of the Revisor of Statutes or language is allowed into the bill that isn't technically correct or is an incorrect reference to a section of law.

To fix these small technical changes, two bills are forwarded annually, known as the revisor's technical correction bills. One comes at the beginning of the session, to correct errors from the previous year, and a second follows at the end of the session, to correct anything that was discovered subsequent to a law's enrollment. The bills traditionally have little debate, since they are intended to contain only technical, nonpolicy, and noncontroversial items.

But this year, in a rare occurrence, House and Senate members couldn't agree on all parts of the bill, so a conference committee met April 23 to begin sorting out the differences.

At issue is a small section of the revisor's bill (HF3163), sponsored by Rep. Eric Lipman (R-Lake Elmo) and Sen. Don Betzold (DFL-Fridley), which would insert a missing sunset clause that was included in the state government finance law last year.

A conference committee added the sunset to a provision that requires the state Attorney General's Office to deposit all litigation or legal settlement proceeds in the state's general fund.

The problem is that the agreed upon clause was tacked onto the wrong section of the bill when it was drafted, so when the full House voted

on the bill, the clause was in an incorrect place.

The revisor's office requested the correction this year with the understanding that the Legislature intended to pass the bill as agreed upon in conference committee. But some House members have objected to the reinsertion of the clause since it didn't appear in the bill as the House initially approved it.

Senate conferees said they view not reinserting the language as a way to get out of an agreement made last year, while two House conferees view including the clause as unfair to members who may have voted for it without knowing it even existed.

Lipman said the sunset clause could be replaced but the revisor's bill isn't the place to go about it. In order to honor the integrity of the bill as a noncontroversial bill, the committee should err on the side of caution and the provision should be added to another bill, he said.

"Tempers have flared," he said. "That proves the point that this isn't a good fit for this bill."

But others insisted the change was technical

since it was agreed upon in conference committee and was meant to be included in law.

Sen. Richard Cohen (DFL-St. Paul) said the House should stand by the agreement reached by last year's conference committee and include the correction.

"It was a mistake by the revisor's office. Period," he said.

Rep. Andy Dawkins (DFL-St. Paul), the only House member on the committee to support the inclusion, agreed.

"The test is, 'But not for the revisor's error, would this be law?'" he said. "We do need to correct errors even if they deal with controversial issues."

The issue may seem trivial, but the provision that the lost sunset clause would effect could involve millions of dollars.

The sunset would put a June 30, 2003 expiration on a provision requiring the state Attorney General's office to place all funds from litigation or legal settlements into the state's general fund. Deputy Attorney General Kenneth Peterson said some of the proceeds had been going to charities such as food shelters, Toys for Tots, and the Humane Society.

The debate could carry more significance if Senate members refuse to agree to the bill without the sunset language replaced, since another provision in the bill is needed to bring the state into compliance with federal law.


Cecelia Dodge, special education supervisor with the Department of Children, Families and Learning, said without that change, the state would risk losing millions of dollars of special education money.

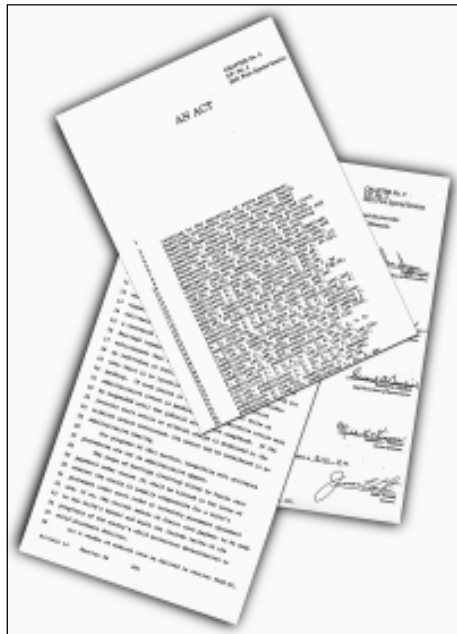
A similar correction the revisor's bill tackles is the exclusion of page 661 of the omnibus health and human services law Gov. Jesse Ventura signed last year.

Although the missing page was included during all legislative debates, it was not included in the copy signed by the governor.

To be safe, the revisor requested the Legislature re-pass the bill so the governor can again sign it, this time with page 661 included.

Both chambers also agreed to remove a section in the revisor's bill that would have changed the funding formula for special education.

Although the revisor's office was under the impression the change was technical in nature, House members familiar with the provision noticed its inclusion and objected, and both bodies removed the provision. 



The 2002 revisor's bill would correct a page omitted from the governor's copy of the 2001 health and human services funding law, among other technical corrections.

The clock is ticking

House members examine modifying welfare system before benefits for some Minnesotans expire this summer

By SARAH MCKENZIE

The federal welfare system, overhauled six years ago to encourage work and administrative flexibility at the state level, is set to expire in the fall, prompting many lawmakers to take stock of the reforms.

While Congress and President Bush are beginning to unveil plans to modify the system, Minnesota lawmakers have debated whether to extend benefits to welfare recipients who will bump up against a five-year time limit in July.

Republican House lawmakers charged with oversight of the health and human services committees have spoken out against relaxing the time limits, arguing they are necessary to encourage self-sufficiency. They have also pointed to extensions granted to a number of recipients by the 2001 Legislature.

Meanwhile, some House DFLers have argued the time limit, coupled with additional health and human services spending cuts, will harm Minnesota's poor families.

The clock started ticking for welfare recipients in 1997 when the Minnesota Family Investment Program (MFIP) became state law. It met requirements for federal welfare block grants that placed a cumulative five-year, lifetime limit on public assistance for most recipients.

The centerpiece of the 1996 federal welfare legislation was the requirement that families with children secure employment. However, it granted states considerable flexibility in determining what fulfills the work requirement.

In Minnesota, for example, a number of job-training programs have met the standard. Most beneficiaries are required to be involved in at least 30 hours of work activity, including education, per week.

Rep. Fran Bradley (R-Rochester), chair of the House Health and Human Services Policy Committee, said limiting benefits to five years has been an incentive to encourage welfare beneficiaries to become more independent.

"It's a lot more convincing when they know they have a time limit," Bradley said.

Rep. Luanne Koskinen (DFL-Coon Rapids), the DFL lead on the committee, said lawmakers should factor in the current economic conditions when making a determination about

extending benefits.

While acknowledging a number of recipients will likely qualify for exemptions, Koskinen expressed concern about the group of people left without state help.

"It leaves them without a safety net," Koskinen said. "What are we going to do for these people?"

She said she's particularly concerned about recipients with medical difficulties, chemical dependency problems, and other conditions that make it difficult for them to secure employment.

The 2001 Legislature appropriated \$19 million to extend benefits for about 52 percent of the families expected to reach the 60-month limit in fiscal year 2003, which begins July 1, 2002. About 6,800 families are expected to reach their time limit over the course of the fiscal year, according to a Department of Human Services report.

The 2001 law will grant extensions to a single-parent family that participates in at least 30 hours of work activity a week — 25 of which must be employment. A two-parent family will be obligated to work a combined 45 hours of the 55-hour weekly work activity plan.

In order to be granted an extension, recipients must be in compliance with welfare regulations for at least 10 of the 12 months before they reach the limit. The extensions would expire June 30, 2004.

Besides debating the time limit extension, state lawmakers have also begun weighing in on welfare reform proposals touted by President George W. Bush.

The president has called for maintaining the current level of federal spending on welfare block grants — \$17 billion annually from 2003 to 2007.

However, welfare recipients would be required

to spend at least 40 hours a week working or in a work-related activity — up from 30 hours.

In an address outlining his proposal April 18, the president said he wants to see 70 percent of welfare beneficiaries in the workforce by 2007.

In addition to the work requirements, the president has also proposed providing \$300 million to states for programs that support healthy marriages and \$135 million for abstinence programs.

Rep. Kevin Goodno (R-Moorhead), chair of the House Health and Human Services Finance Committee, said strengthening work requirements is a good concept but said states



PHOTO BY ANDREW VON BANK

Members of the House Health and Human Services Finance Committee meet earlier this session, where they discussed budget cuts and possibly extending welfare benefits to those approaching the 60-month limit.

should be left with "maximum flexibility."

Koskinen said toughening work requirements doesn't make sense while the economy is still in recession. She also questioned the appropriateness of the government encouraging marriage, arguing that should remain a personal decision.

(Some economists have determined that the national economy is coming out of recession, but Minnesota officials say the state is emerging at a much slower rate than other states.)

Bradley said he's supportive of the president's initiatives and said there's room for improvement in Minnesota's welfare system.

"I feel like we've been generous perhaps to a fault," Bradley said, adding that he would like to see the definition of work activity narrowed.

As for the marriage incentives, Bradley noted that a number of studies have found that kids fare better in two-parent families.

"To the extent that we can encourage people to have successful families, we win from a human point of view," Bradley said.

Getting smaller

Number of school districts in state continues historical drop, but the total may not have yet hit bottom

By THERESA STAHL

As old as government in Minnesota, but modified to such a degree that what first existed is no longer recognizable, school districts in this state have been repeatedly consolidated. And they still aren't finished.

Formed in the mid-1800s, school districts popped up in townships across Minnesota. When state officials realized fewer districts weren't economically and educationally sound, they came forth with legislation that consolidated and reorganized districts. Over the years, the number has grown high as 8,000 and dropped to a low, where it now stands, at 340.

Minnesota Public Schools, by Fred Engelhardt, was published in 1934, when nearly 8,000 school districts existed. Engelhardt made a prediction in the book

personal gain, and prejudice and those that clearly point out the need for change, there will be no question as to the demands that will be made on the Legislature."

And demands they did make. The people, school administration, and one governor lobbied legislators to better organize school districts. The account of the state's repeated efforts for consolidation, according to *A History of the State Department of Education in Minnesota*, begins before Minnesota was a state.

Territorial laws designated the first school districts to be in townships that had at least five families. But the districts were thought to be too large and difficult to manage, and the early pioneers wanted schools to be located closer to their homes. So in 1851, county commissioners were required to form smaller school districts, disregarding township boundaries.

Many people speculated that those smaller districts might have contributed to problems down the road when school districts were consolidated and reorganized. Minnesota would not have experienced as many problems, they said, if the state had kept the larger township organization.

The state's first major attempt at reorganizing the school district system occurred in 1865 when the Legislature allowed incorporated cities, towns, and villages to create independent school districts. The districts were permitted to establish high schools, elect school boards, and have more control over education in their areas.

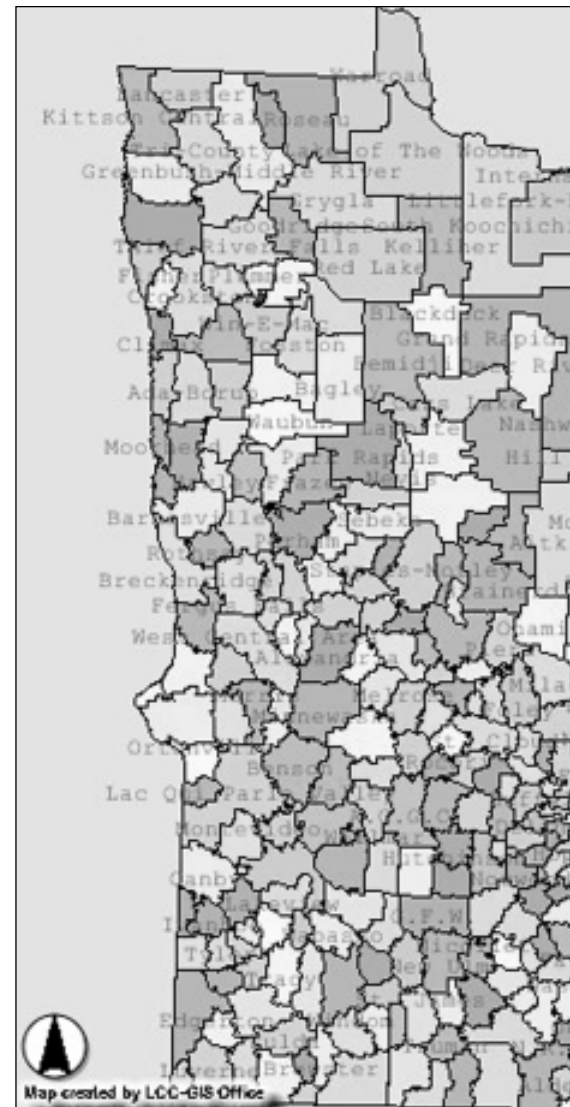


Schoolchildren of various ages and their teacher stand beside a one room schoolhouse near Albany, Minnesota in 1905.

more than 30 years before the largest overhaul of school district reorganization.

"The people of the state will insist on the larger school district when the facts are clearly known and understood," he wrote.

"When they are able to separate in their thinking the arguments against the proposed program that have their bases in selfishness,

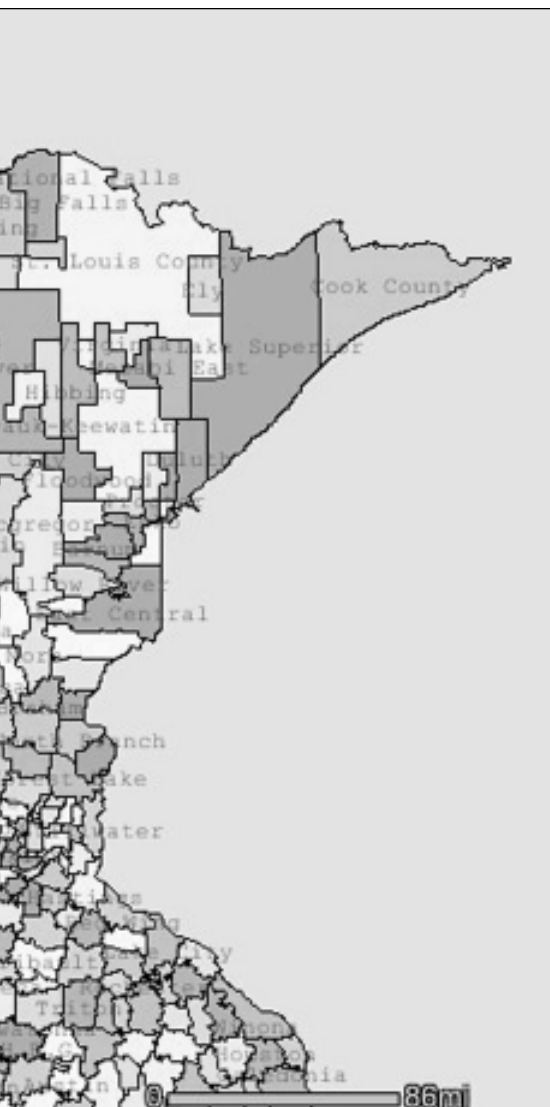


Map of 2002 Minnesota school districts.

At that time, the people determined it best that school boards manage the schools. For economical and educational reasons, the school boards found it was in the school's best interest that a superintendent be responsible for the general oversight of the local public educational system.

Several villages and cities prompted the second major school district reorganization. Upon their request, the Legislature gave some school districts a "special" classification, meaning they had oversight by the local government, authority to rule by their own charters, and had more independence than other school districts.

The plan proved unsuccessful for the 50 or so special charter school districts. They were not affected by new legislation for educational improvements, so they fell behind other districts in student progress. With the help of a constitutional amendment in 1892 prohibiting special charters for school districts, they were phased out over time.



Map courtesy of the Legislative Coordinating Commission's Geographic Information Systems Office

The movement of school district consolidation created quite a bit of controversy, according to the *History* report.

The vast number of school districts — 8,000 at the turn of the century — was weighing on the small staffs that coordinated them. A lobbying effort by several state superintendents resulted in legislation in the early 1900s enabling some districts to merge. But the effort, which was voluntary, mostly failed, partly due to farmers' fears that consolidation would mean higher taxes.

Gov. A. O. Eberhart, elected governor in 1910, is credited for the next force in school district consolidation. At the time, there were more than 2,000 one-room schools with fewer than 21 pupils, and another 300 with fewer than 11 pupils. According to one publication, Eberhart, who himself was taught in a one-room school house, "pleaded with the Legislature for state aid to encourage consolidation."

In 1911 the Legislature passed a law

offering a financial incentive to newly consolidated districts. They received annual aid up to \$1,500 a year and transportation for pupils who lived long distances from the school. In five years, 170 districts had consolidated.

Nothing more was done until 1947, when there were 7,679 districts and consolidation again became a priority.

This time, the Legislature created an advisory commission and charged it with conducting a program of district reorganization. There was some movement; however, the reorganization was again voluntary and deemed not very effective.

Driving the moves toward district consolidation was a desire by state officials to have a more uniform school district system so that the state's districts could be managed more efficiently.

The first mandatory reorganization took place in 1963. Under the new law, school districts not offering a complete K-12 program were required to join districts that had a high school or be terminated. By July 1965 there were 1,742 districts, a decrease of more than 5,800 in an 18-year period, according to the report.

But not all districts went according to plan, so the 1967 Legislature passed a law requiring any district not offering high school to merge with a district that offered grades 1 through 12. By 1971, the number of districts was reduced by 800.

However, small districts were still a concern. According to a report from the Department of Children, Families and Learning, academic pairing legislation passed in 1978 addressed the need for smaller school districts to share staff, programs, and students.

Consolidation slowed in the 1980s, but a 1989 law required permanent reorganization from those involved in an academic pairing agreement. Five years later legislation was passed so districts that consolidated received state aid for their efforts.

The number of districts shrunk from 433 in 1989 to 340 in 2002.

Bob Buresh, a member of the department's district support services team, wrote a report in July 2000 on the history and trends of school districts.

"Through reorganization," he wrote, "school districts strive to improve their ability to develop and implement quality programs for students, upgrade the quality of

school facilities, offset student enrollment declines, and provide a more cost efficient and stable school district."

Under state law, districts may combine with the approval of the state's education commissioner, now the commissioner of children, families and learning, and the approval of voters in the local communities affected by the combination.

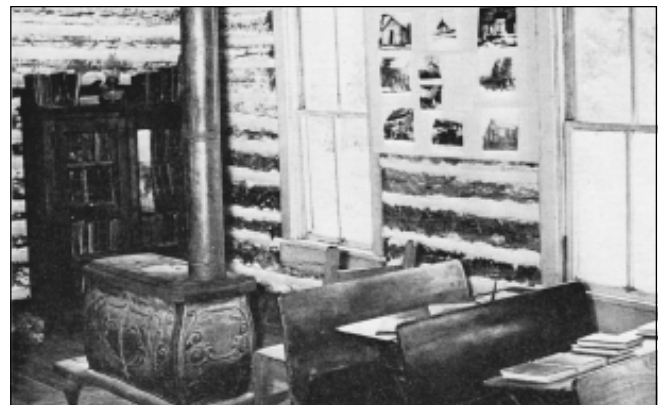
"The commissioner shall disapprove the proposed combination if it is educationally unsound, will not reasonably enable the combined district to fulfill statutory and rule requirements, or if the plan and modifications are incomplete," law states.

If the commissioner disapproves of the plan, revisions are allowed prior to local referendum.

Local school boards may place the same referendum question before voters twice before it must be modified. If a third referendum fails, it could affect levying powers and would require revision again.

In his report, Buresh indicated that districts may consolidate further in coming years. He cited enrollment trends, health of the economic sectors such as agriculture, and trends in school finance as some factors that might affect district organization.

"School district reorganization activity has been at a low level in recent years but could significantly increase within a few years."



The interior of a pioneer log schoolhouse, built about 1865.

An interactive map of Minnesota school districts can be found on the Legislative Web site at: <http://www.commissions.leg.state.mn.us/gis/html/maps/interactive.html>

Photos courtesy of the Minnesota Historical Society

Take two

Kubly will make another run for the Senate, this time in an open seat, after serving in the House for six years

By LISA HILTON

Thinking it would be nice to only have to run for re-election every four years rather than every two, and facing an open Senate seat in a newly redrawn legislative district, Rep. Gary Kubly (DFL-Granite Falls) says this is a good time to try to switch chambers.

An ordained Lutheran minister, Kubly has represented the people of District 15B since 1996. Although he was active in DFL precinct caucuses before that time and was narrowly defeated by Sen. Dean Johnson (DFL-Willmar) for a Senate seat in 1992, Kubly said he hadn't considered running for a House seat until his predecessor called and asked him to consider the opportunity.

The problem was that former Rep. Roger Cooper (DFL-Bird Island) called him in 1996 on Tuesday of the Holy Week preceding Easter, a time when the minister had quite enough to do already.

"I told him it wasn't a really good time for me," he said.

After receiving numerous other calls from people in the district, he announced his candidacy a few weeks later.

"I didn't know that many people knew I was a Democrat," he said.

The empty Senate seat in newly created District 20 will include 55 percent of his former constituents, so Kubly isn't sure how tough the race will be. So far, three Republicans have announced their intention to run for the seat.

Growing up on an Iowa farm near the Minnesota border just south of Albert Lea, Kubly brought his rural roots with him to the Legislature, and he has been a strong advocate of rural issues while in the House. He has served on the various House agriculture committees in each of his three terms.

That focus won't change if he is successful in moving to the Senate, Kubly says.

"I'll keep rural issues on the forefront," he said.

Kubly said the state needs to keep a rural voice in the Legislature, especially after redistricting tilted the balance of representation even further toward the Twin Cities metropolitan area. "Rural areas have lost a little

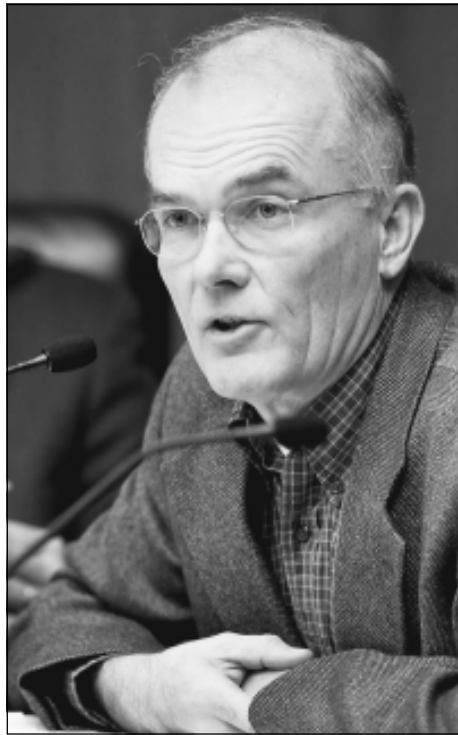


PHOTO BY TOM OLMSCHIED

Rep. Gary Kubly is leaving the House after this term to pursue a seat in the Minnesota Senate.

ground," he said.

Part of his work for small Minnesota communities involved advocating for state assistance during natural disasters, such as the tornado that leveled part of St. Peter on March 29, 1998 and the July 25, 2000 twister in Yellow Medicine and Chippewa counties.

He said assistance to fill the gap between what private insurance companies will cover and what is left needs to be covered by the state.

The state also needs to address wastewater problems in rural Minnesota, Kubly said.

Wastewater treatment programs haven't been adequately funded, resulting in many communities being forced to pump sewage into ditches every time it rains, he said.

Although it isn't the most interesting topic, the problem has created a huge public health hazard and needs to be taken care of, he said.

Along with his rural roots, Kubly's role as a

minister affects his service as a legislator. For him, the two jobs are related.

"Politics is your faith in action, at least that's how I see it," he said.

Rep. Al Juhnke (DFL-Willmar) was elected at the same time as Kubly and has shared an apartment with him during the session for six years.

"Being a Lutheran minister, he brings a unique view of the process to the Legislature," Juhnke said. "I always think of him as the calm of the storm. Nothing gets him too excited," he said. But on the occasions when Kubly does get fired up, "then you better listen to him because he's probably right."


Rep. Tim Finseth (R-Angus) agreed.

"He's the kind of person I like to work with," said Finseth, chair of the House Agriculture Policy Committee. "He didn't speak on every issue, but when he did, he had something important to say."

Serving in the Legislature doesn't take Kubly far from his family, since his three adult children live in the Twin Cities metropolitan area, and his wife, Patricia, has also been in town helping care for their 3-month-old granddaughter.

Kubly said he expects the Senate to be similar to the House but noted that the Senate is somewhat less contentious, and seems to get its work done faster.

"Maybe that's because there are half as many people and half as many opinions," he said.

Kubly's advice to his replacement is short and simple: "Listen to the people," he said. Representatives have to make decisions that affect the entire state, he said, but "first and foremost you are called to be their representative." 

STEPPING DOWN

Rep. Gary Kubly

DFL

District 15B — Granite Falls

Terms: 3

Career notes: Having served on several committees, including those governing agriculture and rural development, Kubly has worked to equalize the differences between urban and rural areas. He advocated for state assistance to St. Peter in 1998 and Yellow Medicine and Chippewa counties in 2000 after those areas suffered damage from tornadoes. He also helped secure disaster aid after flooding in Granite Falls.

Cultivating support

Peterson will leave House for different role in the state's agricultural sector as head of farmers union

By SARAH MCKENZIE

Rep. Doug Peterson, an architect of the state's ethanol program, has been elected president of the Minnesota Farmers Union and will serve the remainder of his House term but not seek re-election.

The six-term DFLer from Madison in west-central Minnesota said in his new position he will work with state and federal lawmakers from both parties to bolster the state's agriculture community. The union represents more than 15,000 state farmers.

Outlining his priorities for the farmers union, Peterson said he will push for profitable commodity prices, agriculture-based energy production, mobilizing support among urban Minnesotans with rural roots, and building partnerships with other advocacy groups.

"The people of rural Minnesota — whether farmers, business owners, retirees, working parents or whatever their position in life — have common interests in getting a fair shake in the changing economy," said Peterson, who owns a 300-acre farm in Lac Qui Parle County.

Peterson's agenda builds on his accomplishments at the State Capitol. He points to his work on the Minnesota Model on Ethanol as prescient policy that steered the state toward energy independence before it became a more pressing, national security issue in the aftermath of Sept. 11.

"It was fairly visionary," said Peterson, 53, DFL lead on the House Agriculture and Rural Development Finance Committee. "The Minnesota model has become a model for the nation."

Beginning in 1997 the state required that all gasoline sold in the state contain a minimum 2.7 percent oxygen content — which includes the corn-based additive ethanol. Supporters have heralded it as a clean-burning alternative fuel that reduces carbon dioxide emissions. Opponents have challenged ethanol's environmental benefits and labeled it a costly agriculture subsidy.

The state has also established a 20-cent per gallon producer payment to encourage ethanol production.

Rep. Bob Ness (R-Dassel), chair of the



PHOTO BY TOM OLMSCHEID

Rep. Doug Peterson, who was recently elected president of the Minnesota Farmers Union, will leave the House after this term.

agriculture finance committee, said Peterson "has worked hard for agriculture" and has been a strong advocate of ethanol while in the House.

"He is not afraid to speak up when he believes in something," Ness said. "Doug has been a valued member of my committee and we have worked well together."

Rep. Ruth Johnson (DFL-St. Peter), also a member of the agriculture policy and finance committees, said Peterson has served as a mentor to her on agriculture issues.

"Whenever I wanted to know how a piece of legislation would affect farmers, I would discuss it with Doug," Johnson said. "From his own experience on the farm, he is a passionate proponent of sustainable, family farm-based agriculture."

Peterson has also been a strong supporter of the biodiesel legislation that became law this year. It will require that all diesel fuel sold in the state

contain at least 2 percent of the additive, derived from soybeans or other plant oils, by 2005.

The state lawmaker is also known for founding the Minnesota Right to Be Rural Coalition in 1996 along with state and federal DFLers, including U.S. Sen. Paul Wellstone, former state Sen. Tracy Beckman (DFL-Bricelyn) and former U.S. Rep. David Minge.

The coalition promotes, among other things, equal access to public services, home-grown economic development, affordable higher education, fairness in taxation, and balanced environmental policies.

The group worked to establish the Center for Rural Policy and Development in 1997, a think tank based at Minnesota State University, Mankato.

Jack Geller, the center president, said few legislators speak about Greater Minnesota with "both the passion and the eloquence that Rep. Peterson can."

"While he would be the first to tell you that he doesn't have all the answers to what ails rural Minnesota, he is persistent in convincing you that rural Minnesota counts," Geller said. "That we all (i.e. urban, suburban, and rural) should care about what happens to our rural communities, family farms, and our rural way of life."

Peterson said he'll miss the camaraderie of the Legislature and the gratification of solving a constituent problem.

He recalled helping a man secure benefits who had trouble navigating the state's bureaucracy. Peterson said the man stopped him years later and said, "Because of you I have a decent life."

Jim Curtiss, the mayor of Montevideo in Peterson's district, said the representative "bends over backwards" to help people.

Peterson stops at least once a month at Curtiss' restaurant, Trailways Cafe, to talk to members of the community.

"He's very open and easy to talk to," Curtiss said. "There isn't enough I can say about how good he's been." 🐾

STEPPING DOWN

Rep. Doug Peterson

DFL

District 13B — Madison

Terms: 6

Career Notes: Peterson supported legislation that established the state's ethanol development program, and he has promoted the biodiesel industry. He also worked on bills in 1998 that strengthened the state's oversight of feedlots.

Slowing down?

Use of tax increment financing as a development tool may be decreasing in light of revenue changes and other options

By DAVID MAEDA

Were it not for the topic of tax increment financing (TIF), redevelopment and economic development discussions in city halls and legislative committee rooms might take on a different flavor.

The use of the local development tool receives attention from the public and elected officials but concerns of misuse and some law changes have led to a recent decline in its use.

Tax increment financing allows local units of government to finance projects by applying the assumed additional property taxes generated to finance up front costs.

Before a district can be created, the municipality must determine, through a formal finding that the development would not occur "but for" the use of TIF.

The concept behind TIF is this: a city wishes to develop or redevelop an area by encouraging a developer to construct a new building. A TIF district is created encompassing the area that will house the new building along with a couple of other buildings in need of repair. The county auditor then determines the current tax capacity of the properties and the property tax rates being levied at the time by all local governments, including the city, county, and school district.

The original tax rate is then applied to the difference between the existing property values and the new values that will occur from the development. Known as the tax increment, this amount can then be applied to such things as redevelopment of existing buildings, new building construction costs, and infrastructure improvements.

Although most often used by cities, TIF can also be used by counties or municipally created entities such as a port authority, economic development authority, or housing and redevelopment authority.

A 1986 legislative auditor report on TIF use cited a few criticisms. The report said that although the "but for" determination is required, it is a subjective standard that is difficult to challenge in court.

The report also said the "but for" determination does not require any showing that the benefits of the development justify its costs.

The Legislature created most of the state's TIF laws in 1979, although the mechanism was occasionally being used before then. The reduction of federal redevelopment grants in the mid-1980s led to a substantial increase in its use.

Six district types are permitted by law: economic development, redevelopment, renewal and renovation, cleanup of polluted soil conditions, cleanup sites with hazardous substances, and pre-1979 districts.

The most popular use of TIF is redevelopment. To qualify as a redevelopment district, 70 percent of the area must be occupied by buildings, of which 50 percent are substandard. A similar district known as a renewal and renovation district requires 70 percent of area be occupied by buildings of which 20 percent are substandard and 30 percent require some renovation.

Economic development districts are allowed to exist for eight years, while housing and redevelopment districts have a 25-year limit. The law requires development activity for a TIF district be completed within a five-year period. After that time increments can only be used to pay off obligations.

Minnesota permits the pooling of districts within a jurisdiction, meaning a project area within a municipality may include several different TIF districts. Revenues from one district may be applied to activities in another within the project area.

In redevelopment districts 25 percent of increments may be spent on activities outside the district. For other district types the maximum increment amount for outside uses is 20 percent.

Information provided to the state auditor shows that as of Dec. 31, 2000 there were 442 TIF authorities that had 2,136 districts in the state. The top three categories breakdown as follows: 923 for redevelopment, 695 for economic development, and 367 for housing.

The number of districts created continued to decline in the past few years from a high of 181 in 1997 to 126 in 2000. By comparison there were 48 in 1991.

The reduction in property tax rates and resulting revenue reduction during the past few years, particularly in commercial/industrial property rates, which makes up the largest percentage of property in TIF districts, likely has caused some of the declining use of TIF.

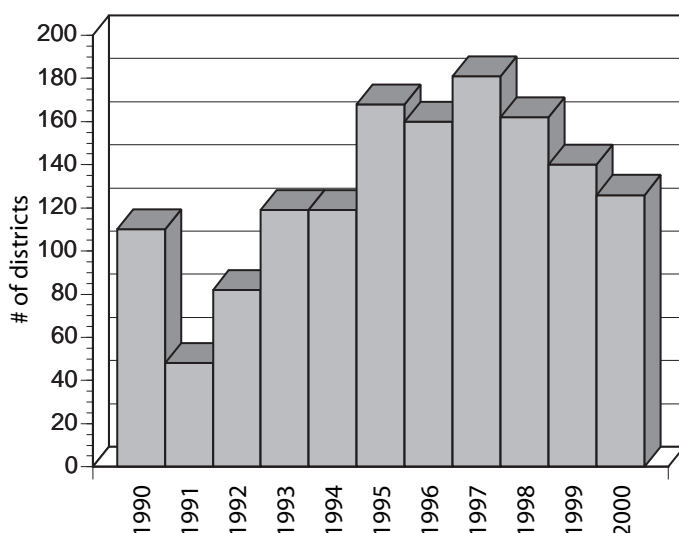
Last year's property tax changes also eliminated the state imposed general education tax levy. Previously TIF districts included school tax revenues that were made up to school districts by the state in increased aid. Thus the elimination of the local education tax levy also has meant a reduction in TIF revenues.

In 1997 the Legislature created a new development tool similar to TIF known as abatement. It allows a local unit of government to waive or defer property taxes on parcels that meet specific requirements such as increasing or preserving the tax base, providing employment opportunities, or redeveloping or renewing blighted areas.

The major difference between abatement and TIF is that the municipality, school district, and county must all approve and pay their share of the abatement.

Because no reporting is required on the use of abatement, it is unclear how many municipalities are using that tool instead of TIF.

Tax increment financing districts created in the 1990s



Report required

Mandatory reports provide information for House, Senate members on wide range of issues

By **BRENDA VAN DYCK**

Legislative activities, such as debating issues and passing bills, are well known. What may not be as visible is the quantity of information the Legislature annually seeks in the form of mandated reports.

The Legislature mandated more than 230 reports in 2001, a mixture of one-time studies and ongoing requirements. Issues studied range from the very mundane, such as the allocation of spaces in the State Office Building parking ramp, to the very complex, like identifying various funding sources for airport noise mitigation.

of legislation. For example, a study mandated by the 1994 Legislature on the state's corporate farm law became the basis for a subsequent overhaul and recodification of the law.

Reports can also provide the basis for programs or operating procedures. For example, in the mid-1970s the state's sentencing practices were criticized as indeterminate, but the Legislature couldn't agree on how to specifically reform the system. After three sessions of debate, the 1977 Legislature created the Sentencing Guidelines Commission and mandated that it develop guidelines for uniform sentencing standards and report them to the Legislature.

- a process for collecting information on sentences imposed,
- criteria on how to assess the fiscal impact of the law, and
- a recommended a time frame for the evaluation.

In the case of the DWI study, the Legislature appropriated \$20,000, but money is not always appropriated for a report.


Furthermore, specific costs are not always identified. Fiscal notes, prepared for bills by the Department of Finance, show that during recent years a wide range of costs are associated with one-time and ongoing studies.

Some departments report no economic impact, while others identify several hundred thousand dollars for such items as large human services or transportation programs to nearly \$2 million for a comprehensive study of health care costs.

As the official government document repository, the Legislative Reference Library keeps track of reports and catalogues final reports into its collection.

Each year library staff read session laws to identify new mandates and repeals and extensions of existing requirements. That information is then put in a database to track the reports.

When a report is due, a letter is sent reminding the responsible agency to submit the report.

Since its inception in 1969, the library has been collecting mandated reports, and there is continued interest in older reports because issues tend to recur over the years, said Robbie LaFleur, library director. That's why, she notes, the reports are such an important part of the library collection. 

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

Selected reports mandated by the 2001 Legislature

Topic	Agency
Recidivism rates of drunken driving offenders subject to electronic monitoring	Corrections Department
Comparative analysis of human rights department caseloads in other states	Human Rights Department
Progress on interstate tuition negotiations	Higher Education Services Office
Per pupil transportation costs	Children, Families and Learning Department
Performance of teacher candidates on common core assessments of knowledge and skill	Board of Teaching
Firefighting costs	Natural Resources Department
Impact of state's suicide prevention plan	Health Department
Topics related to dispensing medications in schools	Health Department
List of all design-build contracts	Transportation Department

For more information:
The Legislative Reference Library's Web page venus.library.leg.state.mn.us/lrl/mndocs/mandates.asp
House Research Department publication on mandated reports www.house.mn/hrd/hrd.htm

The reasons vary as to why a report might be requested. Many times it is to follow up on issues to see what an agency or group did. Other times the Legislature simply wants more information before approving a significant policy. Sometimes ideas arise that don't have enough immediate support to become law, and a study is one way to keep the idea alive. Another reason might be to bring opposing groups together to work on an issue or reach a compromise.

And the costs associated with these reports are difficult to quantify. Often they must be absorbed in an agency's budget. No one specifically tracks all of the costs.

Many times reports will evolve into pieces

The commission began annual reports of its guidelines to the House and Senate in 1980.

More recently, the 2001 Legislature charged the University of Minnesota's Institute on Criminal Justice to develop a research plan for evaluating the implementation and impact of the felony drunken driving law, which was enacted August 2001.

Under the law, a fourth drunken driving incident within 10 years can be charged as a felony. Specifically, the Legislature directed that the research plan identify the following:

- the number of cases on which data would need to be collected,
- a method that would ensure adequate sampling across the state,

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 meetingschedules; 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.mn>

Call, visit, watch, log on . . .

Legislative information is plentiful, accessible, and free

Keeping track of what's happening at the Minnesota Legislature has never been easier. The latest technology is being used in all areas of communication.

And while the traditional methods such as visiting the Capitol and calling on the telephone are still useful and easy ways to get the information you need, the newest technological methods on television and the Internet have made your choices better than ever.

A new, improved Web site

Since the Legislature's World Wide Web site went online in 1996, more than 100 million hits have been received. During the 2000 session alone, the site was receiving more than one million hits on the busiest days.

During that time, users commented on the positives and negatives of the site. In response to those remarks, an interim committee of legislative staff looked at ways to enhance the online information — making it even more useful. As a result, the Web site was redesigned and an award-winning new format was launched during the fall of 2000.

Accessing information using your fingertips and a mouse begins by directing your browser to <http://www.leg.mn>, the Legislature's main page.

The site layout has been updated to make it visually simple but also easy to navigate. More advanced users can use drop-down menus to get to the information, while traditional hyperlink text is also available.

A mere click of a mouse button takes a user to both the House and Senate main pages. Easy access is also provided to other areas, including: member information, committee information and schedules, Minnesota Statutes, Session Laws and Rules; joint legislative departments and commissions; youth pages; general information; legislative district information; and employment opportunities.

One of the more popular options is the bill tracker. From the House and Senate pages, users can read any bill and track its status through the legislative process. For those not familiar with the legal language used to draft bills, easy-to-understand summaries are also available. Bills can be searched by number, keyword, or author.



Through the Legislature's Web site, the public can access information including bill descriptions and status, committee meeting schedules and agendas, and weekly publications of both the House and Senate.

The site is also interactive — links are provided so a user can easily contact a legislator by e-mail.

Both the House and the Senate sites also offer Internet streaming video of floor sessions and selected committee hearings. The service features unedited, live and recorded coverage of the Legislature. To watch events unfold, get the free Windows Media Player plug-in viewer. Information is available on the House

Television Services Web site at <http://www.house.mn/hvtv/htvserve.htm>. Archived footage of House committee meetings and floor sessions is also available.

You've got mail

House committee schedules are available on the Web site at <http://www.house.mn/hinfo/schedule/index.htm>. Senate schedules are online at <http://www.senate.mn/schedule>.

Constituents with e-mail service can now receive committee schedules from both the House and Senate without having to request them each day.

The schedules, updated daily, give specific information about which committees are meeting on a particular day, the time and location of the meeting and general topic agendas for the meeting.

To receive the House committee schedule, fill out the subscription form at <http://www3.house.mn/scripts/lyris.pl?join=houseschedule>.

To receive the Senate schedule, fill out the form at <http://www.senate.mn/schedule/listserv.htm>.

Come on down

Technology is a wonderful asset for governmental information, but the best way to find out



E-mail is an increasingly common and efficient way for constituents to contact their legislators. Lawmakers regularly respond to signed messages, and they prefer that correspondents include their full names and addresses.

what's happening at the Capitol is to witness it in person. A good place to begin your visit is at the House Public Information Office, located on the first floor of the State Office Building directly west of the Capitol, in Room 175.

The office has a series of informational and educational publications designed to make the legislative process understandable and accessible for all.

Office staff can quickly determine in which House and Senate district you live and provide you with the name, office number, phone number, and e-mail address of your representative and senator.

Committee schedules are available at the office, as are issues of the newsmagazine *Session Weekly*, a free publication covering weekly House activities during session. To have this thorough weekly wrap-up mailed directly to your home or business, call or stop by House Information, or complete the subscription form on the House Web site at <http://ww3.house.mn/info/subscribesw.asp>. Likewise, *Senate Briefly*, which covers weekly Senate activities, is available by stopping at Senate Information in Room 231 of the Capitol or by submitting the online form at <http://www.senate.mn/pubform.htm>.

Pick up the phone

A wealth of information is also available via the telephone. The House Public Information Office can answer general questions regarding the legislative process and who your legislators are. They can also connect you to other offices for additional information. Call the information office at (651) 296-2146 or toll free at 1-800-657-3550.

You don't need to leave home to obtain copies of House bills, either. Simply call the House Chief Clerk's Office at (651) 296-2314 and they'll



A committee hearing room in the State Office Building features interactive television technology through which lawmakers can communicate with people at more than 80 sites around Minnesota.

mail you a copy of any bill. If you don't know who sponsored a bill or what a particular bill's House File number is, call House Index at (651) 296-6646. They can also tell you the status of a bill as it is traveling through the process.

If you have a concern about a pending bill or a policy issue, call your legislator.

You may also access a voice version of the House committee schedule by calling (651) 296-9283.

For similar information in the Senate, call (651) 296-0504 or toll free at 1-888-234-1112.

Tune in

Television coverage of the Legislature is available in the Twin Cities metropolitan area on KTCI-TV, Channel 17. Coverage also is included throughout Greater Minnesota on more than 30 cable providers' services. Check with your local cable system for availability. All broadcasts are closed-captioned and schedules are available from House Television Services. Call (651) 297-1338 or visit the House and Senate Broadcast Television Schedule page at <http://www.house.mn/htv/htv.htm>.

Live coverage of floor sessions and committee hearings is provided throughout the day, and taped coverage is played between live proceedings.

Frequently used Web links

Legislature's main page:
<http://www.leg.mn>

Session Weekly on the Web:
<http://www.house.mn/hinfo/hinfo.htm>.

Maps and legislative district finders:
<http://www.leg.mn/leg/districtfinder.htm>

To search the Legislative Web site:
<http://search.state.mn.us/leg/>

North Star government information:
<http://www.state.mn.us/mainmenu.html>

Governor's office:
<http://www.governor.state.mn.us>

Legislative Reference Library:
<http://www.leg.mn/lrl/lrl.htm>

Revisor's Office:
<http://www.revisor.leg.state.mn.us/revisor.html>

Legislative Links to the World:
<http://www.leg.mn/lrl/links/links.htm>

Frequently called numbers

House Information:
651-296-2146 voice; 651-296-9896 TTY
1-800-657-3550 toll free voice and TTY

Senate Information:
651-296-0504 voice; 651-296-0250 TTY
1-888-234-1112 toll free voice
1-888-234-1216 toll free TTY

Chief Clerk's Office:
651-296-2314

Office of Secretary of the Senate:
651-296-2344



House Television Services provides coverage of action on the House floor and selected committee hearings on Channel 17 in the Twin Cities metropolitan area and local cable systems throughout the state.

Tracking new laws, vetoes

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

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

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

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

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

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

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
266	3373	3045*	Fourth Judicial District domestic fatality review team pilot project extension.	3/25	
267	3362	3109*	Municipal police departments black patrol vehicles.	3/25	
268	2662	2611*	Interstate compact for adult offender supervision.	3/25	
269	1934	1030*	National crime prevention and privacy compact.	3/25	
270	94	222*	Game and fish laws gross overlimit violations penalties.	3/25	
271	2873	2578*	County human services and public health clients support programs.	3/25	
272	2993	2463*	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	3/25	
273	3263	3167*	Sex offenders civil commitment determinations data access authority.	3/25	
274	1413	1226*	No-fault automobile insurance full medical expense benefits entitlement.	3/25	
275	3276	3100*	Medical assistance reimbursement for tribal health services.	3/25	
276	3291	3124*	Nursing and board care homes resident reimbursement classifications provisions modification.	3/25	
277	3245	3126*	Health care and human services programs provisions technical modifications.	3/25	
278	3061	3117*	Metropolitan Council interceptor facilities continued use determination.	3/25	
279	2600	2419*	Child care programs wading pools public swimming pools regulations exemption.	3/25	
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27◆
281	2678	2768*	Medical assistance demonstration project provisions modified.	3/26	
282	3579	3073*	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	3/26	
283	2570*	2553	Automobile insurance damaged window glass claims payment basis modified.		3/26◆
285	2882*	3122	Electric personal assistive mobility device and roadway and sidewalk regulations.	3/26	
286	3078	2821*	Real estate brokers and salespersons regulatory provisions modifications.	3/26	
287	2664	2459*	Supplemental nursing services agencies registration criteria expansion.	3/26	
288	1885	2115*	Motor vehicle dealers surety bond requirements clarification.	3/26	
289	3091	2764*	Mentally retarded persons incidents and emergencies reporting standards modification.	3/26	
290	2932	2614*	Foster care placement communicable diseases disclosure requirement.	3/26	
291	3080	3055*	Metropolitan transit police provisions modifications.	3/26	
292	2757	2692*	Human services licensure.	3/26	
293	2889	2933*	Individual sewage treatment systems installation.	3/26	

◆ - veto overridden by the Legislature

† - Filed without signature

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

CH	HF	SF	Description	Signed	Vetoed
294	2635	2550*	Special education services costs reimbursement.	3/26	
295	3222	2953*	Fire insurance excess coverage prohibitions.	3/26	
296	2933	2546*	Rockville and Pleasant Lake consolidation plan joint development required.	3/26	
297	2884*	2715	Motor vehicle excessive gross weight civil fine imposition modified.	3/26	
298	3196*	2966	State procurement law ethical provisions clarified.	3/26	
299	3205	2890*	Public works contracts regulated.	3/27	
300	3223	2793*	Out-of-state facilities for children with severe emotional disturbance certification plan required.	3/27	
301	2842	3244*	Evidentiary laboratory blood sample reports electronic signatures.	3/27	
302	3224	3034*	Hennepin County Medical Center cooperative purchasing authority.	3/27	
303	3240	2814*	Electronic voting authorized for cooperatives.	3/27	
304	2596	2673*	Child custody provided for by de facto custodians and third parties.	3/27	
305	3328	3278*	Driver's education organ and tissue donation instructions.	3/27	
306	3079	2697*	Real estate transactions disclosure requirements.	4/1	
307	3492	3315*	Insurance provisions modification; medical malpractice insurance joint underwriting assoc. issuance prohibition.	4/1	
308	3221	3145*	Military justice code revisions.	4/1	
309	3506	3084*	State and local government units auditing and reporting requirements modifications.		4/1
310	1224*	887	Medical response unit registration provided.	4/1	
311	2785	2542*	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	4/1	
312	3519	2675*	State agencies required to use cleaner fuels.	4/4	
313	2647	2569*	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	4/4	
314	2840	2580*	Criminal prosecution estoppel provisions modified.	4/4	
315	3169	2881*	Housing; municipal low-income housing authority specified.	4/5	
316	3076	2612*	Funeral procession escort private vehicle authorized to use flashing red lights.	4/5	
317	3029	2680*	Energy building code requirements changed in certain instances.	4/5	
318	3058	2739*	Cities additional liquor licenses; hotel rooms liquor cabinets hours of sale restrictions exemption.	4/5	
319	2706*	3076	Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided.	4/5	
320	3030	3322*	Metropolitan Council existing service capacity external use provided.	4/8	
321	3034	2949*	Background check public criminal history data expanded.	4/8	
322	2841	2533*	Criminal offenders county correctional services costs payment.	4/8	
323	2684	2678*	Natural resources department provisions modifications.	4/8	
324	3432	3352*	Dry cleaner environmental response and reimbursement.	4/8	
325	3209	3054*	Petrofund consultant and contractor registration period modifications.	4/8	
326	3464	3174*	Money Transmitter Act small business category created.	4/8	
327	1763	1811*	Public drainage systems jurisdiction transfer.	4/8	
328	1683	2150*	Technology circuits or systems contractors and power limited technicians.	4/8	
329	3125*	2987	Telecommunications access for communication-impaired persons program renamed.	4/8	
330	2988*	3023	Insurance licenses, fees, and coverages regulated; health care administration simplified.	4/8	
331	3497	3015*	Commerce Department insurance fraud prevention; crime of employment of runners.	4/10	
332	2719*	2827	Uniform Athlete Agents Act providing student athlete agent registration adopted.	4/10	
333	1517*	1443	Swimming pool requirements established for family day care homes.	4/12	
334	2835	3028*	National and community service commission nonprofit corporation creation.	4/12	
335	2735	2457*	Civil commitment standards modifications; mental health system report.	4/16	
336	2763	2592*	Mutual insurance holding companies reorganization to stock companies.	4/16	
337	3537	3288*	Firefighters interest arbitration decision provision expiration date extension under PELRA.	4/16	
338	3455	3380*	Postnuptial contracts provisions modifications.	4/16	
339	2751	2650*	Credit unions regulation provisions modifications.	4/16	
340	3445	3238*	Nonprofit neighborhood organization members directors election, voting right notice option.	4/16	
341	3193	2957*	Dentist practice violations reporting requirements.	4/17	
342	3257	2988*	Financial institutions detached facilities, charges and fees, and mortgage prepayment penalties regulated.	4/17	
343	2687	3075*	Motor vehicle sales tax payment for sales in violation of dealer licensing requirements.	4/17	
344	3393	3114*	Child support obligors limited driver's licenses and payment agreements.	4/17	
345	1524	1555*	Fertilizer use regulated.	4/19	
346	2935	2909*	Health maintenance organizations rural demonstration project authorized.	4/19	
347	2657	2540*	Probate property succession provisions modified.	4/19	
348	3048	2460*	Criminal penalties for persons who take responsibility for criminal acts provided.	4/24	
349	2473*	2807	Darlene Luther Anatomical Gift Act specifying intent and consent requirements.	4/24	

COMMITTEE SCHEDULE

APRIL 29 - MAY 3, 2002

MONDAY, April 29

3 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, April 30

12:30 p.m.

**ENVIRONMENT &
NATURAL RESOURCES POLICY/
ENVIRONMENT &
NATURAL RESOURCES FINANCE**

10 State Office Building

Chrs. Rep. Dennis Ozment, Rep. Mark Holsten

Agenda: Mille Lacs Lake fisheries management.

FRIDAY, May 3

1 p.m.

Regent Candidate Advisory Council

400S State Office Building

Agenda: Committee reports and/or recommendations for action - Interview Process and Questions: Paul Dovre; Orientation: Bob Vanasek and Chris Georgacas; Recruitment/Public Relations: Humphrey Doermann; Document Review: Carol Batsell Benner; References: Dave Naumann and Elizabeth Morrison; Nominations (to be appointed fall 2002).

Discuss actions without formal meetings issue.

Discuss public balloting issue.

Discuss proposed Legislative Joint Rules changes.

Discuss legislative initiatives (SF2488/HF2955)

requiring appointment of regents made by governor with advice and consent of the Senate.

Discuss length of council recommendations issue.

Review legislative action of regent election.

Discuss program for Sept. 13 meeting.

Review RCAC meeting schedule and activity timelines.

Request volunteers to attend upcoming board meetings.

BILL INTRODUCTION

APRIL 22, 2002

HOUSE FILE 3717

Monday, April 22

HF3717—Mahoney (DFL)

**Governmental Operations &
Veterans Affairs Policy**

South St. Paul; state and political subdivisions prohibited from purchasing goods from Dakota Premium Foods until good faith effort to negotiate a collective bargaining agreement has taken place.



Who's in charge?

Florida law changes oversight of post-secondary institutions

For the first time since 1965, Florida no longer has a statewide Board of Regents to oversee its colleges and universities. Instead it now has a system like no other in the country.

During its 2001 session, the state legislature overhauled the state's higher education system by creating a seven-member Board of Education to oversee all schooling from kindergarten through graduate school.

Among its duties, the "superboard" is to prepare a coordinated budget for all schools (elementary, secondary, community colleges and state universities), recommend to the legislature the missions of public universities and community colleges, approve plans to create or eliminate doctorate or professional

school programs, and develop accountability measures at all educational levels.

The law also creates 11-member boards of trustees at each of the state's 10 public universities. These boards will be responsible for the hiring/firing of a president, faculty contract negotiations, the submission of a budget to the state Board of Education, setting tuition rates, and creation or elimination of programs. Local boards at the state's 28 community colleges will stay intact.

Supporters say the law allows all educational sectors to work together better and universities will now have stronger advocates. Some said the previous Board of Regents overlooked the needs of individual universities.

Opponents fear the individual boards will attempt to outdo each other by building expensive new facilities, creating new programs, and adding athletic teams.

They also said they're concerned that the boards will become more political as the governor appoints members of both the "superboard" and the individual boards of trustees — 117 in all.

However, Gov. Jeb Bush said politics would play no role in his appointees. "In terms of significance and importance, I would put this at or above appointment to the judiciary," he said.

(M. Cook)

Minnesota Memorials



Highway workers memorial

Doing roadway construction or maintenance work can be a dangerous job. Since 1960, 28 Minnesota Department of Transportation employees have been killed while working on the state's highways and roads.

On April 28, 2000, the Transportation Worker Memorial was dedicated in their honor.

Located in the lobby of the department's headquarters at 395 John Ireland Boulevard, the memorial "symbolizes our ongoing commitment to work zone safety and serves as a memorial to the friends, co-workers and loved ones we have lost," Transportation Commissioner Elwyn Tinklenberg said at the dedication.

The American Federation of State, County, and Municipal Employees (AFSCME) Council 6 originally proposed the memorial in 1993 and the council passed resolutions supporting the memorial. But nothing official happened until Dave Smith, a MnDOT transportation specialist, revived the plan in 1997. The department gave its formal approval in the spring of 1998.

Trent Weber, a human resources employee for the department at the time, won a contest to design the memorial. His design was unveiled at Worker Memorial Day on April 29, 1999.

"It was important to have both the construction and maintenance sides of MnDOT's business represented equally," he said. "I chose a bridge motif because it represents how we help connect our state's vast boundaries — a bridge that leads us into the future but also connects us to our past. We must never forget those who lost their lives."

In the middle of the bridge, a centerpiece support is missing in remembrance of those killed in the line of duty.

A kiosk allows visitors to learn more about the memorial's history and lists the names of those who perished.

"(The memorial) stands as a constant reminder of work zone area danger, and our commitment to work zone safety," Tinklenberg said. "Our goal is to eliminate work zone injuries and fatalities."

(M. Cook)

Reflections

Minnesota is known for real-life accounts about "giants" who helped build the state through innovative uses of natural resources. Some of these include railroad giant James J. Hill, lumber baron Frederick Weyerhaeuser, and flour mill magnate Charles A. Pillsbury.

Other giants of note are from legend, such as lumberjack Paul Bunyan and his blue ox Babe, who left deep tracks across the countryside. As folklore tells it, those tracks filled with rainwater to form Minnesota's 10,000 (actually close to 16,000) lakes.

Another folk hero is Mesabi, the giant of the Iron Range, who went to sleep for generations beneath the hills. When he awoke his movement split the rocks where rich and lower grade ore and taconite concentrates were discovered.

In the late 1700s, explorers heard about the iron deposits, but they did not seriously pursue the find, for they were more interested at the time in expanding their fur trades.

One-half century later, interest in, and stories about, mineral lands of "magnificent extent" prevailed. One advocate in 1849 was Alexander Ramsey, the first territorial governor. In his message to the Legislature he asked for a road to be built to Lake Superior to access the mineral riches of north-east Minnesota. Here, he believed that copper and iron ores are "known to be of singular purity."

An assayer's 1865 soil sample report to the state geologist, Henry H. Eames, touched off Minnesota's own "gold rush" when he noticed traces of glitter in the sample. Ignoring the iron ore present in the sample, Eames set out for Lake Vermilion on a quest for gold.

When the news was leaked to a St. Paul newspaper, hundreds of people headed

north to make a quick fortune. Even the state's first governor, Henry Sibley, and its fourth, Stephen Miller, were taken in. Sibley became president of the Minnesota Gold Mining Company with Miller as its secretary.

Gold was never found, but ore mining grew rapidly in the Vermilion, Cuyuna, and Mesabi Ranges of northern Minnesota once its value was discovered.

Most people that worked on the Mesabi Iron Range did so for mining companies,

like those owned by Minnesota's Merritt Brothers. The brothers, known as the "Seven Iron Men," were early miners who had already started their fortunes in the lumber industry.

The lucrative ore industry on the range soon attracted other giants to Minnesota, such as oil tycoon

John D. Rockefeller; Henry W. Oliver, who worked with steel magnate Andrew Carnegie; and J.P. Morgan, a titan of the industrial world.

Lawmakers became more involved in regulating the enterprise as it grew into the major provider of ore to the steel industry. The Legislature kept some of the newly generated millions of dollars in the state by taxing the owners of the mines.

Until the financial importance of iron ore was realized, many Minnesotans tried to emulate the prospectors of the California Gold Rush of 1849 who followed the slogan, "Thar's gold in them thar hills." But some long-time residents and many of the new Minnesotans were not fooled. They learned early on that "All that glitters, is not gold," and created a lucrative livelihood for themselves through work on the range.

—LECLAIR GRIER LAMBERT

Photo courtesy of the Minnesota Historical Society



The Missabe Mountain iron mine near Virginia, Minn., in 1920.

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

MINNESOTA INDEX

Health and health care

State rank in terms of healthiest states, based on access, lifestyle, occupational safety and disability, disease, and mortality	1
In 2000	2
In 1990	1
Percentage of Minnesotans in 2001 without health insurance	8
In 2000	9.3
In 1990	8.7
National average	15.5
Residents participating in a Health Maintenance Organization (HMO) in 2001, as percent	28.2
Premiums collected by all of Minnesota's nonprofit HMOs and health plans in 2001, in billions	\$5.7
Billions paid out in medical expenses	\$5
Annual health care costs per enrollee	\$2,063
Average administrative costs, as percent of premium revenue	9
Hospitals in Minnesota	141
Physicians per 100,000 population in 2001	252
National rank	18
Percentage of pregnant women in 2001 receiving adequate prenatal care	75.9
In 1990	72.2
National average	76.4
State mortality rate in 2001, per 100,000 population	794.4
In 2000	809.4
In 1990	792.6
National average	881.2
Infant mortality rate in 2001, per 1,000 live births	5.9
Percent decrease from 1990	34
National percent drop during time period	30
Deaths related to heart disease in 2001 per 100,000 population	197.9
In 1990	260.6
National average	276.2
Cancer-related deaths in 2001 per 100,000 population	418.7
In 1990	395
National average	450.6
Deaths, per 100,000 population, related to infectious disease (including AIDS, tuberculosis, and hepatitis) in 2001	12
In 1990	13
National average	30.5

Sources: Minnesota Hospital and Healthcare Partnership; Minnesota Council of Health Plans; UnitedHealth Foundation State Health Rankings, October 2001; CQ's State Fact Finder 2002; National Center for Health Statistics.

FOR MORE INFORMATION

For general information, call:
House Information Office
(651) 296-2146 or
1-800-657-3550

To obtain a copy of a bill, call:
Chief Clerk's Office
(651) 296-2314

To find out about bill introductions or
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SESSION Weekly

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In this issue:

MILLE LACS WALLEYE MANAGEMENT

STEEL TARIFFS, LATEST NEW LAWS, AND MORE

HF3718-HF3720

Session Weekly

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On the cover: Buds on the trees around the State Office Building await a warm spring day to unfurl their leaves.

—Photo by Tom Olmscheid

Walleye management

Department of Natural Resources, business owners, anglers differ on taking of walleye from one of Minnesota's biggest lakes

By SARAH MCKENZIE

The turf battle continues over the management of the state's world-renowned walleye fishery, Mille Lacs Lake, and lawmakers say they want to help the competing interests find some common ground.

Three years after the U.S. Supreme Court upheld the Mille Lacs Band of Chippewa's 1837 treaty rights to special hunting and fishing privileges, the state continues to struggle with developing a harvest plan that is acceptable to area business owners and anglers.

The House Environment and Natural Resources Policy and Finance committees held a joint informational hearing April 30 to sort through the issue and hear competing visions for the future of the lake.

"It is the citizens' resource and that is why we are here today," said Rep. Mark Holsten (R-Stillwater), chair of the finance committee.

Effective March 1, 2002, a one-year plan negotiated between the Minnesota Department of Natural Resources and the band imposes a 2-inch walleye harvest slot restriction on Mille Lacs anglers, meaning only fish between 14 inches and 16 inches in length can be kept. Anglers are permitted to keep one walleye greater than 28 inches per outing.

The plan will allow sport anglers to keep about 288,000 pounds of walleye this summer while the band's quota will be 100,000 pounds.

Many Mille Lacs business owners say they have taken a financial hit because of the lower harvest levels, predicting more anglers will decide to go elsewhere to fish this summer. Meanwhile, the DNR maintains that they are necessary to ensure the sustainability of the walleye population.

Dick Sternberg, a former DNR fisheries biologist and outspoken critic of the department, presented the committee with a 26-page report analyzing data on harvest and walleye population levels.

In his view, the wind-swept, 200-square mile lake in north-central Minnesota faces an unprecedented problem: too many big walleyes and too few bait fish, such as perch.

"The bait fish in Mille Lacs have crashed,"

Sternberg presented a graph indicating the average harvest between 1987 and 1996, prior to the court-ordered cooperation between the band and the state, was 591,975 pounds of walleye. Since 1997, the average harvest has been 391,055 pounds.

At the hearing he said the DNR has come up with a "90 percent solution to a 10 percent problem" since anglers have to throw back about 90 percent of what they catch.

Sternberg also questioned the department's methods for determining the size of the walleye population, arguing it underestimates the number of large walleye in Mille Lacs Lake.

The DNR challenged Sternberg's findings at the meeting and dismissed his concerns about a heavy concentration of large walleyes.

"We simply do not believe that the walleye population is going to collapse," said Ron Payer, director of the DNR fisheries division.

Payer suggested that overharvesting poses a greater threat to the population than do a large number of big walleyes.

But Payer conceded the department could do a better job of determining the size of the walleye population.

"The data isn't perfect, but it's good data," he said.

Jack Wingate, DNR fisheries research manager, challenged Sternberg's assertion that the larger fish are responsible for the lake's dwindling bait fish population.

He pointed to statistics showing that younger fish consume far more pounds of food per pound of body weight than older, larger fish.

Besides mulling over the competing scientific analyses, committee members also heard testimony from a number of Mille Lacs Lake area business owners who weighed in on the lake management debate.

They pointed to slumping sales in just about everything that is supported by the fishing-based tourism: gasoline, beer, and pull tabs, to name a few.

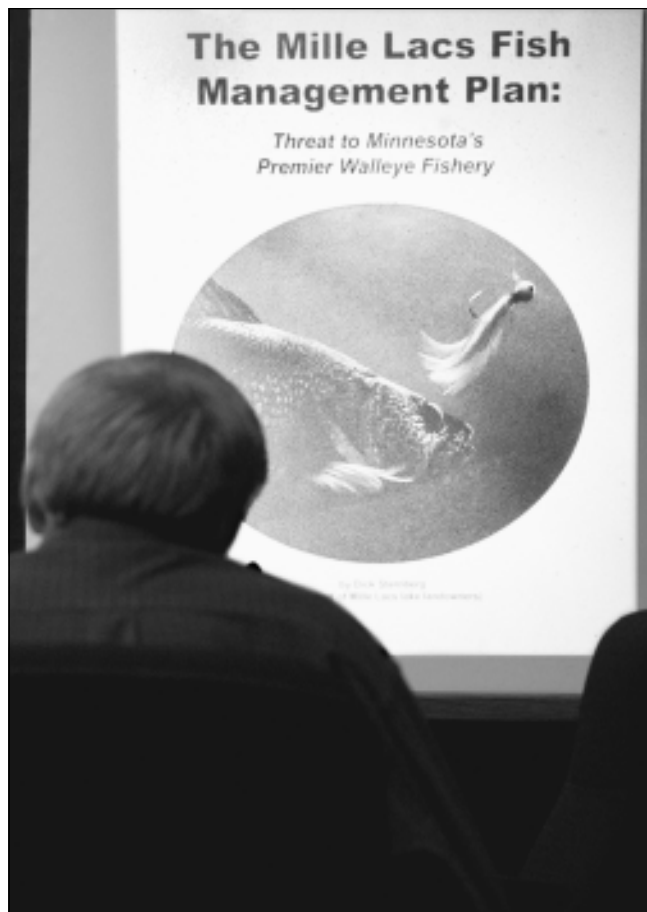


PHOTO BY TOM OLMSCHIED

Dick Sternberg, a former DNR fisheries biologist, presents a proposed fish management plan for the lake during an April 30 joint hearing of the House Environment and Natural Resources Policy and Finance committees.

Sternberg said. "The question is how long can these walleyes hang on without much to eat."

Sternberg argues that the current lake management plan isn't backed by sound biology. He recommended raising the walleye catch to the court-approved 24 percent harvest level and permitting anglers to keep larger walleyes.

"Under the tight constraints of treaty management, the DNR's main concern is keeping walleye harvest within the quota," Sternberg wrote in his report. "But in doing so, it is ignoring the issue of population imbalance, which poses a far more significant threat to the fishery than a quota infraction."

The number of sport fishing tournaments is also down.

Rep. Sondra Erickson (R-Princeton), who sat in on the hearing but does not serve on either committee, read a letter from a constituent troubled by the loss in business from out-of-state tourists.

Bill Eno, co-owner of the Twin Pines Resort with his wife, Linda, said his business has declined more than 20 percent since the tighter fishing restrictions were imposed.

"The businesses need some help," Eno said.

Linda Eno said the 2-inch slot makes it nearly impossible to come home with any fish. During one fishing outing she was with a group that caught more than 130 fish and only one met the length requirements.

She also expressed frustration with the over-all treaty management approach that treats the bands differently from the rest of the community.

"We can't have two sets of rights," she said.

Terry McQuoid, who runs McQuoid's Inn in Isle, has been a lifelong angler on the lake. He's noticed a significant increase in the number of large catches on the lake.

For example, he caught a 55-inch muskie last summer.

The downside to the hot bite, however, is a high number of hooking mortalities, particularly among fish caught in deep water.


Advocates of higher harvest limits argue that the number of wasted fish would go down if they could keep more walleye. The DNR, however, maintains that the number of hooking mortalities would go down if anglers practiced more restraint and care when removing the hooks.

Like Sternberg, McQuoid recommended that the DNR and bands allow anglers to keep two walleyes larger than 20 inches.

Dave Overland, secretary of the Minnesota Sportfishing Congress, compared the economic decline in the Mille Lacs Lake area to the collapse of the taconite industry on the Iron Range.

He urged members of the committee to provide the community with relief.

Calling the lake a "resource of statewide significance," Rep. Bill Haas (R-Champlin) said the Legislature needs to become more involved in the process. He advocated the formation of a task force to examine the issue, but no action was taken at the hearing.

Rep. Dennis Ozment (R-Rosemount), chair of the environment policy committee, agreed that more needs to be done to formulate a resolution, but he cautioned against political micromanaging that would undermine the work of the state's biologists. 



Selling Minnesota

Publications laud nascent state's temperate climate and robust citizens

Minnesota's settlers were lured here in part by emigration posters, pamphlets, and books advertising exceptional farmland, wholesome citizens, and abundant natural resources.

Public and private interests alike sought to attract newcomers through the publication and free distribution of these materials.

The 1867 Legislature appropriated \$10,000 to create and fund an immigration board. Board members were directed to solicit additional contributions from manufacturers, merchants, and others who benefited from the influx of immigrants and to "publish or cause to be published, pamphlets, guide books, and articles treating on, and describing in a true light, the developed and undeveloped resources of the state of Minnesota."

The board spread the word under such titles as "Minnesota, the Empire State of the New North-West: The Commercial, Manufacturing and Geographical Centre of the American Continent" and "The Cost of Coming to Minnesota," a poster detailing rates of passage to St. Paul from several European and American cities. In the mid-19th century, tickets from Naples, Italy, cost \$71.50, while Liverpoolians paid \$50.50.

Free-wheeling capitalists also got in on the action, though their efforts were hidden behind the guise of benevolent intervention.

"[This publication] is offered for gratuitous circulation in order that persons here and elsewhere, knowing our healthy climate and prolific soil, may let their friends and others seeking new homes, know of Minnesota, before they incur the fearful risk of plunging themselves and families into the fever-ridden districts of other states," wrote attorney and land speculator Girart Hewitt in an 1867 treatise titled *Minnesota: Its Advantage to Settlers*.

The railroads, always on the lookout for new fares, were not shy about using the printing press to their advantage, either.

"No malaria, no ague (fever) and chills, but all enjoy the greatest blessing possible to

mankind, clear heads and healthy, vigorous bodies," extolled an 1889 publication of the St. Paul, Minneapolis and Manitoba Railway included in *Bring Warm Clothes: Letters and Photos from Minnesota's Past*.

Settlers were also enticed by editorials

and glowing personal accounts of Minnesota life published in eastern and European newspapers.

"Fish of the finest quality abound in the lakes and rivers ... wheat does well ... in fact, vegetables grow almost spontaneously," read one such letter that was sent to the East and reprinted in the June 13, 1854 *St. Paul Daily Minnesotian*.

It's difficult to discern whether many of these letters were written by content homesteaders or composed as a front for the railroad public relations machine.

Recognizing that it would be easy to persuade immigrants

of the availability of cheap land and stalwart citizens, but difficult to promote a northern climate, the "bonds that held the Northern Pacific to truth were badly strained," wrote Sig Mickelson in *The Northern Pacific Railroad and the Selling of the West*.

"The skillful use of counter propaganda became necessary" when the heavy snows of 1873 bred discontent among English settlers in Minnesota. When their tales of woe reached the newspapers in England, the Northern Pacific countered by leaking letters to the press allegedly written by satisfied settlers.

Whether or not the tactics were completely ethical, the emigrant posters and publications inspired a population explosion in Minnesota.

The numbers rose from about 4,000 in 1849 to just more than 172,000 in 1860. No other territory or state in U.S. history has ever grown as rapidly during a 10-year period, according to the Minnesota Historical Society.

By the turn of the century, the state's population was pushing 1.8 million.

(N. Wood)

THE ADVISORY OF THE GREAT BOARD OF THE ILLINOIS
The board published the following notices, during the
COST OF COMING TO MINNESOTA.
Immigrants should procure tickets and contracts for the carriage of their baggage through to their ultimate destination, if possible.

EUROPEAN EMIGRANT RATES OF PASSAGE TO ST. PAUL.

FROM	FARE	FARE	
Amsterdam	\$71.50	Amsterdam	\$71.50
Berlin	\$71.50	Berlin	\$71.50
Bombay	\$71.50	Bombay	\$71.50
Bremer	\$71.50	Bremer	\$71.50
Bremen	\$71.50	Bremen	\$71.50
Buenos Aires	\$71.50	Buenos Aires	\$71.50
Calcutta	\$71.50	Calcutta	\$71.50
Canton	\$71.50	Canton	\$71.50
Cebu	\$71.50	Cebu	\$71.50
Colon	\$71.50	Colon	\$71.50
Hankow	\$71.50	Hankow	\$71.50
Hongkong	\$71.50	Hongkong	\$71.50
Kobe	\$71.50	Kobe	\$71.50
Lyons	\$71.50	Lyons	\$71.50
Manila	\$71.50	Manila	\$71.50
Medan	\$71.50	Medan	\$71.50
Peking	\$71.50	Peking	\$71.50
Rangoon	\$71.50	Rangoon	\$71.50
San Francisco	\$71.50	San Francisco	\$71.50
Shanghai	\$71.50	Shanghai	\$71.50
Singapore	\$71.50	Singapore	\$71.50
Sourabaya	\$71.50	Sourabaya	\$71.50
Tientsin	\$71.50	Tientsin	\$71.50
Yokohama	\$71.50	Yokohama	\$71.50

(For the baggage allowed to each.)

AMERICAN RATES.
The following are the rates of passage, from which emigrants can deduct the cost of their baggage, if they so desire. The rates of passage are for the first class, and are subject to change without notice.

TO ST. PAUL FROM	FARE	FARE	
Amsterdam	\$71.50	Amsterdam	\$71.50
Berlin	\$71.50	Berlin	\$71.50
Bombay	\$71.50	Bombay	\$71.50
Bremer	\$71.50	Bremer	\$71.50
Bremen	\$71.50	Bremen	\$71.50
Buenos Aires	\$71.50	Buenos Aires	\$71.50
Calcutta	\$71.50	Calcutta	\$71.50
Canton	\$71.50	Canton	\$71.50
Cebu	\$71.50	Cebu	\$71.50
Colon	\$71.50	Colon	\$71.50
Hankow	\$71.50	Hankow	\$71.50
Hongkong	\$71.50	Hongkong	\$71.50
Kobe	\$71.50	Kobe	\$71.50
Lyons	\$71.50	Lyons	\$71.50
Manila	\$71.50	Manila	\$71.50
Medan	\$71.50	Medan	\$71.50
Peking	\$71.50	Peking	\$71.50
Rangoon	\$71.50	Rangoon	\$71.50
San Francisco	\$71.50	San Francisco	\$71.50
Shanghai	\$71.50	Shanghai	\$71.50
Singapore	\$71.50	Singapore	\$71.50
Sourabaya	\$71.50	Sourabaya	\$71.50
Tientsin	\$71.50	Tientsin	\$71.50
Yokohama	\$71.50	Yokohama	\$71.50

Minnesota Board of Immigration agents distributed this handbill across Europe and America.

Photo courtesy of the Minnesota Historical Society

★ CRIME

Reporting change**Signed
by
the
governor
★ ★ ★**

A new law will allow public employees and public officers to report instances of theft, fraud, or embezzlement directly to law enforcement rather than to the state auditor.

Gov. Jesse Ventura signed the legislation May 1.

Effective Aug. 1, 2002, the law will require the person making the report to provide all information pertinent to the incident, including any non-public data.

Rep. Mary Liz Holberg (R-Lakeville) told the House Civil Law Committee Feb. 20 that she proposed the change after a case in a Lakeville school where an employee was suspected of theft.

The school district was prevented from disseminating private employee information to law enforcement and had to go through the state auditor's office to seek discipline. In the meantime, the employee resigned, and the district was left with no chance for retribution.

A separate provision will allow school officials to inform law enforcement of the existence of certain data in a student's record if the student's parents or guardians do not object.

The measure does not allow schools to turn over exact data on the incidents, but rather allows only the existence of such data to be reported. Data that can be given out include knowledge of the student's drug use, alcohol use, threatening behavior, vandalism, or theft.

Under the new law, parents would be sent a letter informing them of law enforcement's request for their child's information. If the child's parents or guardians object to the information being disseminated, the school officials would be prohibited from turning over the information.

The law would not include information in the student's education record or data protected by a court order.

The House passed the law 125-0 April 22 and the Senate did the same 56-0 April 25. Sen. David Knutson (R-Burnsville) is the Senate sponsor.

HF2618*/SF3373/CH352

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★ EDUCATION

Teacher contract bill withdrawn

An amendment to a bill that would put a deadline on submitting teacher contract information may have threatened the bill's chance of being passed this year.

The bill (HF3069/SF2986*) would require school boards to report teacher salaries to the Minnesota School Boards Association within 30 days of the signing of the agreement.

Rep. Ken Wolf (R-Burnsville), the bill's sponsor, said on the House floor April 29 that the bill would help the association measure statistics in a more consistent way. Currently the reports are voluntary.

Rep. Nora Slawik (DFL-Maplewood) introduced an amendment that would require teachers and school administrators to report student-on-student sexual abuse in public schools within 24 hours.

Existing law requires 24-hour reporting of sexual abuse between a student and an adult. Slawik said there is currently a "loophole" in law regarding student-on-student sexual abuse.

A bill (HF2696/SF2519), sponsored by Slawik, never received a House hearing, but it was heard in the Senate, where a representative of the Oakdale Police Department testified in favor of the legislation, Slawik said.

After House members asked questions about the amendment, and before a vote was taken, Wolf asked that his bill be withdrawn for later consideration.

Some DFL members weren't happy with the request. Rep. Wes Skoglund (DFL-Mpls) thought the amendment and the bill should have received a vote. He said the bill process had not been fair to Slawik, partly because her bill didn't receive a committee hearing.

Rep. Marty Seifert (R-Marshall) said the House as a body should respect the will of the bill's sponsor.

The bill was returned to the General Register, where bills await placement on the Calendar for the Day, and it may be taken up again at a later time.

Billing process update

Laws governing specific billing procedures for the Minnesota state academies for the blind and deaf would become consistent with current practices, under a bill passed by the House.

During a recent audit, the Office of the Legislative Auditor discovered the discrepancy.

"They didn't do anything wrong, but the way they were billing was out of compliance with what the law said," according to Rep. Lynda Boudreau (R-Faribault), the House sponsor. The Senate sponsor is Sen. Thomas Neuville (R-Northfield).

Boudreau said the method of billing written in the legislation is what the academies have been doing for years.

"It puts the method of billing in current statute," she said.

The academies have been using a formula that allows general education money to follow the student to the school they attend.

According to the audit report, the academies, both located in Faribault, did not transfer the correct amount of revenue that current statute requires. However, they transferred the amount officials intended for students at the schools to receive, but the specific formula was never changed in law.

The bill would also clarify the method of counting students, which would be contingent upon a particular number of students, a ratio equation, the general education revenue formula allowance, and pupil weights.

The bill (HF3319) passed 125-0 in the House April 25. It awaits action by the full Senate.

★ ENVIRONMENT

Pest control spraying

The Minnesota Department of Agriculture would be allowed to continue with a planned gypsy moth eradication program in south Minneapolis and neighboring suburbs this spring, under a bill approved April 30 by a House committee.

State Attorney General Mike Hatch issued a legal opinion April 26 that derailed the department's plans to spray areas near Lake Harriet and Theodore Wirth Park, citing state law that bans aerial spraying in areas where people could be exposed to the pesticides.

The law was originally intended to protect migrant farm workers from hazardous chemicals used on crops.

The House Environment and Natural Resources Policy Committee approved a bill (HF3719), sponsored by Rep. Tim Finseth (R-Angus), that would provide a number of exemptions to the ban on aerial pesticide sprays in areas where people could potentially be exposed.



Greg Buzicky, left, director of agronomy and plant protection for the Agriculture Department, and State Entomologist Geir Friisoe discuss the threat that gypsy moths pose to Minnesota during an April 30 joint meeting of the House Agriculture Policy Committee and House Environment and Natural Resources Policy Committee.

The committee met jointly with the House Agriculture Policy Committee April 30.

Besides allowing the spraying of gypsy moths, a highly destructive forest insect migrating westward across the United States, the bill would allow spraying to control mosquitoes and other public health risks as determined by the health commissioner.

The Department of Agriculture would be required to notify residents of the planned pesticide spray through mailings, public meetings, posted placards, or neighborhood newsletters.

The department would use *Bacillus Thuringiensis* (B.t.), a naturally occurring bacteria, to kill the gypsy moths, if the bill becomes law. The bacterium is considered safe for humans.

Greg Buzicky, director of the Agriculture Department's Agronomy and Plant Protection Division, noted that time is of the essence as gypsy moth eggs have begun to hatch.

"The Minneapolis urban forest is in jeopardy if this pest gets established," Buzicky said.

Although members of the committee agreed that the department needs the authority to stamp out the moths, some expressed concern about widening the bill's scope to include a number of exemptions.

In particular, some expressed concern about the mosquito spraying exemption, arguing there needs to be further examination of the health effects of the state's bug management program.

The bill, which received approval to bypass House deadlines from the House Rules and Legislative Administration Committee, now goes to the House floor.

ATV restrictions

All-terrain vehicle riders will be barred from driving off trails in state forests, under a new law signed by the governor May 1.

**Signed
by
the
governor

The House voted 125-0 on April 25 to adopt the conference committee report to the law, sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. LeRoy Stumpf (DFL-Thief River Falls). The Senate passed the report 64-0 the same day.

Under the new law, motorized vehicles will be allowed on designated forest roads and trails. Commercial loggers, along with big-game hunters and trappers during the hunting season, will be exempt from the restriction.

The riding restrictions are effective May 2, 2002.

The law also appropriates \$1.2 million for trail maintenance, monitoring and enforcement, and environmental reviews of proposed trails. The money will be drawn from the all-terrain vehicle, off-highway vehicle, and off-highway motorcycle accounts.

Also under the new law, snowmobiles and outboard motors purchased by the Department of Natural Resources will have to be the four-stroke engine model. Further, it will require that ATVs purchased by the DNR be made in Minnesota.

Another snowmobile section in the new law will allow the DNR to use up to 50 percent of the snowmobile maintenance and grooming grant to reimburse intended recipients of the money for equipment costs.

Counties will also be allowed to raise the speed limit to 65 mph for snowmobiles

traveling on marked trails on lakes larger than 10,000 acres. It will be applicable during daylight hours and subject to the approval of the DNR commissioner.

HF2970*/SF3010/CH355

Consolidated-conservation lands

**Signed
by
the
governor

More than 100,000 acres of land in northwestern Minnesota will be designated as wildlife management areas, under a new law signed by the governor May 1.

The measure will complete an ongoing effort to apply the designation to remaining acres of the state's Consolidated Conservation (Con-Con) lands.

The House passed the bill (HF1359/SF2125*) by a 100-26 vote on April 25. The Senate backed the measure 61-0 on March 22. The bill is sponsored by Rep. Dennis Ozment (R-Rosemount) and Senate Majority Leader Roger Moe (DFL-Erskine).

Minnesota took control of the Con-Con lands beginning in 1929 through tax forfeiture. Farmers largely abandoned the lands during the Great Depression, according to a Legislative Reference Library guide on the issue.

At the time the state took over the lands, the state paid \$4.75 million to pay off county drainage ditch debts, securing responsibility for 1.6 million acres in Aitkin, Beltrami, Koochiching, Lake of the Woods, Mahanomen, Marshall, and Rousseau counties.

The Department of Natural Resources has managed the Con-Con lands in a variety of ways: as wildlife management areas, state forests, state parks, scientific and natural areas, or agricultural areas.

Under the new law, 102,315 acres in Beltrami, Marshall, and Roseau counties will become the last acres designated as wildlife management areas, which are heavily used by hunters. The state has more than 1.1 million acres with this designation.

The law contains a provision that will direct the DNR commissioner to designate a minimum of 90 miles of trails for all-terrain vehicles in wildlife management areas. Eight-member working groups will be established in each county to work on trail designation plans.

Deer hunters will also be allowed to use all-terrain vehicles on the lands during the hunting season.

The ATV and Con-Con lands sections of the new law are effective Jan. 1, 2003.

HF1359/SF2125*/CH353

Animal disease control

The House passed a Department of Natural Resources fiscal bill on April 29, which among other things would allow the department to appropriate money from deer hunting licenses to manage chronic wasting disease.

The bill (HF2973/SF2738*), sponsored by Rep. Mark Holsten (R-Stillwater) and Sen. Leonard Price (DFL-Woodbury), passed 120-9 after members adopted a motion inserting House language into the bill.

The Senate passed the bill 63-0 on April 2. The measure now goes back to that body to consider the House amendments.

Chronic wasting disease attacks the brains of infected deer and elk, causing it to lose weight, display abnormal behavior, lose bodily functions, and die.

Deer in neighboring states have been afflicted with the condition, but there have been no confirmed cases in Minnesota. More than 50 state deer have been tested for the disease and the DNR is developing plans for more monitoring and for handling an outbreak, if one occurs.

Additionally, the bill includes a number of technical provisions that would direct the disbursement of federal dollars for wildlife restoration.

It would also make reductions in appropriations for state recreation areas signed into law in 2001. The Red River State Recreation Area — under development near East Grand Forks in northwestern Minnesota and near the North Dakota border — would receive \$200,000 instead of \$600,000.

The bill would also reduce an appropriation set aside for the Big Bog State Recreation Area from \$200,000 to \$100,000. The recreation area is under development near Upper Red Lake in north-central Minnesota.

Members also approved a number of amendments, including a \$150,000 appropriation that would allow the DNR to conduct walleye research on Mille Lacs Lake in north-central Minnesota.

Another added measure would require the DNR commissioner to review the leasing of lakes for private aquaculture and report back to the Legislature by Jan. 15, 2003.

★ GAME & FISH

ATV use, duck decoys

The Department of Natural Resources will be required to form a task force to study all-terrain vehicle use in state forests, under a measure signed into law by the governor April 29.

The recreational vehicles have come under

scrutiny this session after a newspaper series documented widespread environmental damage in some state forests from unregulated riding.

Under the omnibus game and fish law, the task force will be required to report back to the Legislature by Jan. 15, 2003 with recommendations on how to best proceed with new trail development while protecting the environment from soil erosion, among other things.

The DNR will be obligated to include a number of different viewpoints, including off-highway vehicle users, forest managers, and other people who use the forest without motorized vehicles.

Rep. Dennis Ozment (R-Rosemount) proposed the task force as a compromise measure to quell concerns by environmentalists and ATV groups. A conference committee co-chaired by Ozment and Sen. Jane Krentz (DFL-May Township), sponsors of the law, adopted the plan as an amendment.

The House passed the bill, including the conference committee agreement, 124-7 on April 22 after it sailed through the Senate earlier in the day 60-0.

Another bill (HF2970) related to ATVs was signed into law May 1 by Gov. Jesse Ventura.

Besides the motorized trail task force, the new law will allow a limited prairie chicken harvest. Interested hunters will be required to pay a \$4 application fee to be eligible for a license. The DNR will then pick hunters

through a lottery system. The license fee is \$20.

This section of the law takes effect March 1, 2003.

The new law also bans the use of motorized duck decoys during part of the duck-hunting season, specifically opening day through the Saturday closest to Oct. 8.

The new law also restricts recreational shining — the practice of using car headlights or a flashlight to spot deer. Shining onto residential properties at night from a moving car and on posted agricultural lands will be prohibited beginning Aug. 1, 2002.

HF2920/SF2674*/CH351

★ GOVERNMENT

Full disclosure

Members of the State Board of Investment would be required to disclose more of their own financial information, under a bill passed May 1 by the House. The vote was 94-30.

The board, which consists of the governor, attorney general, state auditor, secretary of state, and state treasurer, is responsible for administering and directing the investment of state funds and pension funds.

Sponsored by Rep. Matt Entenza (DFL-St. Paul), the measure (HF1025) would require board members to disclose any contract or other arrangement under which the member will perform services for compensation as a

EXPLOSIVE CELEBRATION



PHOTO BY TOM OLMSCHIED

John Fritsche, *left*, a lieutenant in the New Ulm Battery, in the number four position, fires an original 1856 six-pound field piece to celebrate the annual Freedom Day on the front lawn of the Capitol May 1. Second Lt. Keith Allison, *center*, takes the safetyman number three position, and Sgt. Wardell Lueck, *right*, takes the ramming number one position for the firing of the cannon.

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consultant, employee, or independent contractor for a person or entity other than the state.

Current law requires board members to disclose expenses paid by investment advisors, consultants, and outside money managers under contract, or that have bid on a contract with the board. Annual disclosure is also required when a member has a contract with a business that the board has invested in.

Rep. Dave Bishop (R-Rochester) offered an unsuccessful amendment that would have required the constitutional officers to disclose their outside contracts but would have removed the bill's requirement for them to disclose the income amount.

Bishop said knowing whom the contract was with would be sufficient to determine whether a conflict may exist but it was inappropriate to pry into somebody's private income information.

Because the board is responsible for \$53 billion in public funds, Entenza said that the dollar amount of private contracts is important to help voters determine the extent to which a conflict may exist.

An amendment offered by Rep. Ann Lenczewski (DFL-Bloomington) that would have required legislators to make the same disclosures as required in the bill was ultimately ruled out of order by House Speaker Steve Sviggum (R-Kenyon) after much discussion.

Rep. Philip Krinkie (R-Shoreview) said the amendment would greatly expand the scope of the bill and dealt with another section of state statutes.

Rep. Joe Mullery (DFL-Mpls), who is an attorney, said the Lenczewski amendment would cause difficulty for legislators in professions that require confidentiality arrangements with clients. He added that it is appropriate to have different disclosure requirements for a part-time citizen legislature as opposed to full-time employees like the constitutional officers.

The bill now goes to the Senate, where Sen. Richard Cohen (DFL-St. Paul), is the sponsor.

★ HEALTH

Epinephrine in ambulances

The House passed a bill that requires state emergency medical groups to develop a plan to equip all Minnesota ambulances with epinephrine — a stimulant used to treat life-threatening allergic reactions.

Ambulances would be required to carry the

drug, which is typically delivered by injection to open a patient's bronchial tubes, by Sept. 1, 2002.

Members voted 120-0 to pass the bill. The Senate approved the measure May 2 by a vote of 58-0.

While nearly all ambulances in the Twin Cities metropolitan area carry epinephrine, about 40 percent of ambulances in Greater Minnesota aren't equipped with the drug.

The provision is included in a conference committee report to a bill (HF3359), sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Deanna Wiener (DFL-Eagan).

Doctors and parents of children with potentially fatal food allergens testified before the conference committee, calling for state law mandating that all ambulances be stocked with the stimulant.

Dr. David Graft, an allergy specialist at the Park Nicollet Clinic in Minneapolis, called epinephrine the "cornerstone" of managing severe reactions to insect bites and food allergens.

"It's not reasonable in the year 2002 that some ambulances would arrive at a scene without epinephrine," Graft said.

The Minnesota Ambulance Association, however, expressed concern about establishing a mandate in state law requiring ambulances to carry the drug.

O.J. Doyle, a lobbyist for the association, said ambulance providers prefer to establish a statewide plan on their own.

"The fear is that this would establish a precedent of practicing medicine through the legislative process," Doyle said.

The association pledged to follow through with a provider-initiated plan to stock all ambulances with epinephrine, which became the compromise measure included in the bill.

Other sections in the bill would allow registered nurses to administer prescription drugs and vaccines to patients that display symptoms consistent with conditions outlined in a protocol.

The bill now goes to the governor.

E-meds permitted

Out-of-state physicians would be permitted to practice telemedicine in Minnesota, provided they meet a number of licensure requirements in their own states, under a bill passed by the House April 25.

The House vote to pass the amended measure (HF3346/SF3026*), sponsored by Rep. Richard Mulder (R-Ivanhoe) and Sen. Steve Kelley (DFL-Hopkins), was 126-0. The Senate repassed the bill May 2 by a vote of

58-0. It now goes to the governor.

Telemedicine is defined in the bill as the "practice of medicine when the physician is not in the physical presence of the patient." Mulder said the bill would primarily target physicians who prescribe medication over the Internet.

"This is a 12-year-old issue," Mulder said. "It's time to get this on the books."

Under the bill, a physician would be required to register with the Minnesota Board of Medical Practice and pay a \$75 annual fee and a \$100 application fee.

Doctors would be obligated to meet a number of other standards outlined in the bill, including having a license to practice medicine without restriction in their home state. They would also be barred from opening an office in this state to meet with or receive calls from patients.

Exemptions from the registration requirements would apply to physicians responding to an emergency medical condition, those who offer services on an infrequent basis, and doctors who consult with Minnesota physicians that maintain authority over a patient's diagnosis and care.

★ INSURANCE

Credit scoring

Gov. Jesse Ventura signed a new law May 1 that will regulate the use of the insurance practice known as "credit scoring" in determining automobile and homeowner policies in the state.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Dave Johnson (DFL-Bloomington), the new law will prohibit insurers from rejecting, canceling, or not renewing automobile or homeowners insurance in whole or in part solely on the basis of credit information.

Credit scoring, which differs from a credit report, attributes a "score" to a person based on personal borrowing and spending habits. The practice was developed by mortgage lenders to determine the risk of an applicant in defaulting on a loan.

Effective Aug. 1, 2002, the law will require insurers who use credit scoring in their underwriting to file the scoring methodology and information that supports the insurer's use of a credit score with the Department of Commerce.

It will also prohibit credit scoring if the scoring incorporates gender, race, nationality, or religion of an insured person or applicant.

To address concerns of people whose credit histories have been adversely affected by

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personal circumstances, such as a death to a loved one or a long-term illness, the new law will require insurers to provide reasonable underwriting exceptions upon request by applicants or policyholders.

Insurers will also be prohibited from using a credit score when the applicant's score is adversely affected by the lack of a credit history.

Both bodies passed the measure April 25 — the House 125-1 and the Senate 62-0.

HF2492/SF2363*/CH357

★ LOCAL GOVERNMENT

Disclosing grant applications

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Certain public officials would be allowed, as private citizens, to participate in state and federal grant and loan programs, under a new law signed May 1 by Gov. Jesse Ventura.

Sponsored by Rep. Larry Howes (R-Walker) and Sen. Yvonne Prettner Solon (DFL-Duluth), the new law will allow people who serve on local housing and redevelopment authority boards to apply for grants or loans administered by the authority. However, they must first disclose, as part of the official minutes of a meeting, that they have applied for the funds as part of a private development they are involved with.

"This brings all the information into the daylight," Howes said.

The new law, effective Aug. 1, 2002, will also require that the individual abstain from voting on the application.

Howes said a new federal rule requires that housing and redevelopment authorities have a representative from the community and that could create an inherent conflict of interest if the resident should want to apply for a grant or loan.

A law was passed last year that allows elected officials in St. Louis County cities with populations of less than 5,000 to apply for federal community development block grants or economic development administration funds after meeting similar disclosure requirements.

Rep. Philip Krinkie (R-Shoreview) spoke against the measure during a House floor debate April 25 saying that public officials should not be allowed to obtain public dollars for private developments.

"Even though everything may be out in the open, you still have someone who has an obvious conflict of interest," Krinkie said.

The House passed the measure 97-26. The Senate passed it 66-0 March 8.

HF3509/SF3257*/CH356

CAPITOL IMPROVEMENTS



PHOTO BY ANDREW VON BANK

Nancy Stark, executive secretary of the Capitol Area Architectural and Planning Board, testifies before a working group of House members of the capital investment conference committee April 30 about a Capitol building renovation project scheduled to coincide with the Capitol's centennial celebration in 2005.

Easing a parking crunch

Visitors may be able to more easily find a parking spot in Minneapolis under a measure passed by the House 126-0 April 25.

The bill (HF2906/SF2568*) would allow Hennepin County to acquire and improve off-street parking facilities that serve public buildings, used for county purposes, under the jurisdiction of the Hennepin County board.

Current law, originally passed in 1969, limits the county to ownership of one off-street parking facility within the city of Minneapolis.

Rep. Ron Abrams (R-Minnetonka), the House sponsor, said the restriction on the county is the only one like it in the state. He said the bill would allow the county to potentially provide more parking close to the Hennepin County Medical Center.

Rep. Tim Mahoney (DFL-St. Paul) asked Abrams if anyone from the city of Minneapolis opposed the bill since many of the downtown parking facilities are currently owned by the city.

Abrams said he had heard no opposition and that nobody from the city had contacted him.

A successful amendment would change the effective date of the bill from the day after local approval to Aug. 1, 2002.

The bill would also remove a five-year limit currently in place for county lease contracts of real property.

The amended bill was repassed by the Senate April 29 by a vote of 56-0. Sen. Ann H. Rest (DFL-New Hope) is the Senate sponsor.

It now goes to the governor.

Water tank repair

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A new law signed May 1 by Gov. Jesse Ventura will allow municipalities greater flexibility in the way they pay for repair and maintenance of water tanks.

House sponsor, Rep. Larry Howes (R-Walker), said the measure allows municipalities, either through direct negotiation or a request for proposal process, to enter into multi-year professional service contracts for work on water tanks.

Howes said the bill would allow municipalities to spread payments over a period of time rather than paying the entire costs up front.

Effective May 2, 2002, the new law requires the contracts to contain a provision that a municipality is not required to make total payments in a single year that exceed the water utility charges received by the municipality that year.

Another contract provision requirement, under the new law, is that the work performed be done under the review of a professional engineer licensed by the state.

The law will also allow the city of Walker to enter into an agreement with either the Department of Human Services or the Department of Administration to allow it to take over the maintenance and operation of a water tower owned by the state and located at the Ah-Gwah-Ching nursing home facility.

The House passed the measure 89-36 April 25, and the Senate passed it 64-0 the same day. Sen. Dan Stevens (R-Mora) is the Senate sponsor.

HF2995/SF3168*/CH358

★ SAFETY

Sparklers legalized

Gov. Jesse Ventura signed a new law April 29 that will allow the sale and use of some fireworks in the state.

Under the measure, people age 18 and older will be allowed to purchase certain fireworks, including sparklers, snakes, and glow worms,

smoke devices, and trick noisemakers, for use on private property in the state.

Effective April 30, 2002, the new law requires buyers to provide photo identification at the time of the purchase.

Sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. Debbie Johnson (R-Ham Lake), the new law is a result of a conference committee compromise.

The original bill dealt with extending volunteer firefighters' benefits by prohibiting employers with at least 10 employees from taking disciplinary action against an employee who misses time while performing volunteer fire fighting duties. However, those provisions were removed in conference committee.

The House version of the bill would have permitted the sale and use of federally approved fireworks during periods around Independence Day (July 4) and New Year's Day. The new law contains no date restrictions.

Rep. Mark Holsten (R-Stillwater), who originally offered the fireworks-related provisions as a separate bill (HF1543), said the compromise reached was to allow the sale of "novelty" items.

Fireworks legalized under the measure include wire or wood sparklers of not more than 100 grams of mixture per item, and other

CELEBRATING ASIAN HERITAGE



PHOTO BY TOM OLMSCHIED

Dominique Lee and other members of the Japanese Dance Group perform the "Cherry Blossom Celebration Drums" dance during the kick-off of the 2002 Asian Pacific American Heritage Month celebration on the front steps of the Capitol May 1. The dance group is made up of fourth- and fifth-graders from the World Cultures and Language Magnet School in St. Paul.

sparkling items that are non-explosive, non-aerial, and contain 75 grams or less of chemical mixture per tube, or a total of 200 grams or less for multiple tubes.

Both bodies passed the conference committee report April 22 — the House on a 78-49 vote and the Senate with a 34-30 vote.

HF2525/SF2960*/CH350



Maybe next year

Montana jury, canceled for budget concerns, would have allowed public group to share opinions with legislators

Taxes are always a big topic among lawmakers and their constituents. One state had hoped to increase dialogue between the two by the formation of a group that would let residents' opinions be heard.

A Citizens Jury on Montana's Tax System was scheduled to begin its duties Jan. 28, 2002. A project of the Montana Citizens Partnership, a group of citizens concerned about state tax improvements, it was designed to engage residents in tax reform debate.

The 18-member jury, that was to be representative of all Montanans, was selected from a field of 1,000 people randomly surveyed via telephone. Members were to be paid, primarily through funds donated by private business groups.

However, funding issues forced the project to be scrapped.

"We anticipated the entire project would have cost around \$50,000," said Mary Whittinghill, president of the Montana

Taxpayers Association. "I think we might have been able to muster up the funds, but there was a definite 'fear' factor lurking in the minds of many people, including some legislators. Others seemed genuinely interested in hearing feedback from Montana taxpayers and the educational opportunity it could have provided."

Jurors were scheduled to meet for five days to hear from expert witnesses about taxes that exist in the state, services provided by government, how taxes are used to support those services, and various reform ideas. Jurors were to then discuss the measures and see if the current mix of taxes is best to help improve the state's economy or offer recommendations for changing tax laws.

Suggestions were to be shared with lawmakers and the public in hopes of further fostering a dialogue on Montana's tax system.

The executive directors of two groups set

up to conduct the survey emphasized tax reform was not the goal. "Your interest is not nudging the jury toward a specific outcome. It is to make sure all sides are being presented," said Doug Nethercut, executive director of the Jefferson Center, a Minneapolis-based nonprofit organization committed to public involvement in policy making.

The center has coordinated 30 citizen juries in other states, including many in Minnesota, such as property tax reform in 1999 and the 1990 gubernatorial election.

The other group was the Montana Consensus Council, a nonpartisan organization attached to the governor's office that promotes processes for building agreements on public policy issues.

"Perhaps there will be another opportunity for Montana to utilize this type of process in the future," Whittinghill said. "We'll see."

(M. Cook)

Recycled idea

Plan to reorganize executive branch of state government has its roots in a report from nearly 10 years ago

By DAVID MAEDA

In 1991, the Legislature passed a law proposed by Gov. Arne Carlson funding a study for a major reorganization of state government.

Only a few of the final recommendations made by the Commission of Reform and Efficiency were ever implemented, but now the House has revisited the 1993 study in one of its proposals to address the current budget shortfall.

The omnibus state government finance bill (HF3270), sponsored by Rep. Kevin Goodno (R-Moorhead), incorporates the commission's recommendation to restructure the executive branch of government. The issue was put forward by Rep. Philip Krinkie (R-Shoreview).

The bill would reorganize the state departments and create a governor's cabinet of eight secretary positions. The governor would appoint the secretaries in the following areas:

- administration;
- agriculture, commerce, and trade;
- education;
- finance;
- health and human resources;
- environment and natural resources;
- public safety; and
- transportation.

Secretaries would serve terms concurrent with the governor and be responsible for directing the policies and plans necessary to the "effective and efficient operation of state government."

Existing departments, boards, and commissions would be reorganized under the eight areas, potentially eliminating a number of executive positions. The 1993 report recommended studying areas of redundancy and eliminating programs that are no longer needed.

Krinkie said the consolidation would save around \$2 million this biennium and \$10 million in 2004-2005.

"This model goes far beyond what we would do in perhaps just shuffling some boxes and rearranging the state organizational chart," he said during a House Ways and Means Committee hearing in March. "It goes to an extensive redefining and realignment of administrative powers."

But Pam Wheelock, the state's finance commissioner, questioned how much would actually be saved under the plan. She said that with agency reductions in the budget-balancing law passed by the Legislature in February it is doubtful additional savings would be achieved.

Wheelock said there also is an apparent inconsistency between proposing such a major reorganization at the same time the Legislature

"government's ability to shift resources, eliminate redundant services and demand program effectiveness," the commission wrote.

Integrating agencies and programs would bring together common services and would help members of the public work their way through the government system more easily, said the report.

Although the core of the report was never adopted, provisions of it ultimately did become law.

In 1995 the functions of the Department of Education and other agencies that operate programs related to children and families were merged into what is now the Department of Children, Families and Learning.

While another commission proposal to merge the Department of Public Service into the Public Utilities Commission did not

"This model goes far beyond what we would do in perhaps just shuffling some boxes and rearranging the state organizational chart."

— Rep. Philip Krinkie

has delayed a merger between the Department of Trade and Economic Development and Department of Economic Security for one year.

In the 1993 report, the 22-member commission appointed by Carlson and the Legislature said that proposed changes would "vastly improve the quality of state services to customers and increase the value for the dollar to taxpayers."

The commission said that the state government structure was often "fragmented and ineffective" in delivering services. "The state's chronic budget deficit and demographic trends point to a future of expanding needs and shrinking resources."

A bill incorporating the restructuring of state government ultimately passed the House in 1994 but did not receive a vote in the Senate. Carlson also opposed it, saying the structure would create a top-heavy bureaucracy.

The recommendation to create an eight-member cabinet was based on the assumption that it would result in better communication of the administration's priorities and would hold top officials more accountable for meeting goals.

Having more than 200 agency executives — including commissioners, deputy commissioners, and assistant commissioners — report directly to the governor reduced flexibility and


occur, the department was later merged into the Department of Commerce.

The reform commission's report concluded that with the reorganization and the creation of a secretary of finance, the role of the state treasurer should be further studied and that it was possible the office would no longer be needed. In 1998 state voters elected to abolish the office, effective January 2003.

Another recommendation that received some legislative attention the past few sessions was a provision stating the need for a uniform code of ethics for all state government employees.

"By creating an environment where all public employees can be motivated to practice high ethical standards, reorganization may strengthen public trust in government," the report states.

While further study of the reorganization may be appropriate, Krinkie has said the struggle to find agreement on how to balance the current budget deficit provides the opportunity to incorporate the commission's proposal.

"When we are in times of a budget shortfall, I think it is appropriate to look at major changes in the delivery of state services in order to maximize the dollars available," he said during the March committee hearing. "Hopefully that is what this does." 

Staying aloft

State, federal dollars combine to support commercial airline service at 135 public airports throughout Minnesota

By LISA HILTON

Although most commercial air service in the state operates at the Minneapolis/St. Paul International Airport, Minnesota actually has 135 publicly-owned airports, 11 of which offer scheduled commercial service.

According to the Minnesota Department of Transportation (MnDOT), the Minneapolis/St. Paul International Airport accounts for about 97 percent of commercial boardings in the state. Airports in Duluth and Rochester each claim about 1 percent, and all other airports with commercial service make up the remainder.

While larger airports don't need to worry about having a solid base of passengers for financial support, smaller airports rely in part on support from state and federal aviation programs.

Minnesota was clear to lawmakers more than 50 years ago. In 1945, legislators created the State Airports Fund to promote aviation, encourage air service throughout the state, and help local units of government pay for airports.

Improvements and maintenance

Part of the money in the State Airports Fund is appropriated by the Legislature to pay for acquisition, construction, improvements, or maintenance of airports owned or operated by cities, towns, and other local units of government.

The fund had \$35.53 million in resources available in fiscal year 2000, and an estimated \$37.6 million one year later. The governor recommended \$32.69 million for the current fiscal year and \$31.53 million for fiscal year 2003.

of MnDOT's Airport Development Section.

The percentage was agreed upon by members of an organization of airport owners, called the Minnesota Council of Airports, after transportation officials said the department would be able to spread funding to more projects around the state if the local match were higher, he said.

On the federal level, Congress appropriates money from the federal Aviation Trust Fund to provide funding for the Airport Improvement Program. Local units of government may apply for grants and must provide a 10 percent match. The Federal Aviation Administration then evaluates and ranks the projects.

In the 2000-2001 biennium, Minnesota received about \$125 million in federal grants through the program.

Air service

However, the primary concern for airports in the state is to make sure planes are using the facilities.

One program that has worked toward that end for several Minnesota cities is the Essential Air Service program.

In response to airline deregulation in 1978, Congress established the program to make sure airlines wouldn't abandon service in small cities in favor of more profitable routes.

Several Minnesota cities have benefited from the program, including Fairmont, Mankato, and Worthington. Although those cities no longer qualify for the program, the state transportation department is currently reviewing proposals from several airlines to continue service to Thief River Falls.

Only cities that are more than 70 driving miles from a medium or large airport hub are eligible for the program. A city may also be cut off from the subsidy if more than \$210 per passenger is required to keep service profitable for the airline.

The state also supports air service by offering a program that supplements local resources to develop and promote scheduled commercial service in Greater Minnesota.

Funds for the program, which was set up in 1997, may not be used to pay airlines to keep service but may only be used for marketing or advertising purposes.



PHOTO BY ANDREW VON BANK

Passengers fly from the St. Cloud regional airport via Northwest Airlines Airlink planes.

Like other forms of transportation, user fees pay for aviation programs. State and federal aviation fees such as fuel taxes, airline flight property taxes, ticket taxes, and aircraft registration taxes support programs on the state and federal levels.

The need for air service throughout Greater

In addition, fund dollars can be used to pay for studies and marketing programs that encourage air service to Greater Minnesota.

In order to receive state grants for airport improvement or construction, local units of government must contribute 40 percent in matching funds, said Peter Buchen, manager

Future of small airports

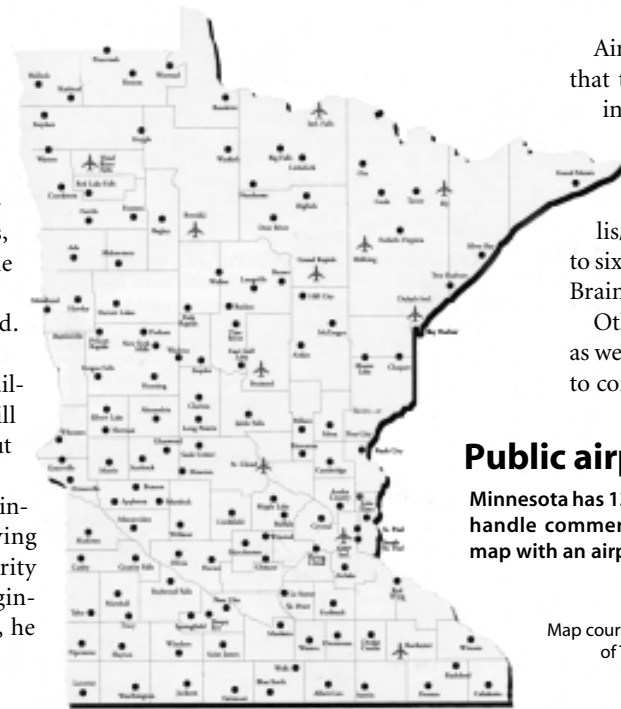
Terrorist attacks that brought airports to a halt on Sept. 11 also had a negative impact on small Minnesota airports.

But Richard Theisen, planning program coordinator with the Transportation Department's Office of Aeronautics, said most airports started to see a decline even before then.

"The industry was slowing," he said. "Sept. 11 just magnified that."


Passenger data for 2001 are not yet available, but the number of passengers will likely be less, since the terrorist attacks shut down airports for several days, he said.

Although industry data suggest that an increasing number of passengers are flying charter or private planes to avoid security hassles nationwide, things are slowly beginning to look up for the airline industry, he said.



Airports in Greater Minnesota are confident that the summer travel season will bring an increased demand for service.

Mesaba Airlines, for example, is increasing the number of daily flights from St. Cloud to the Minneapolis/St. Paul International Airport from four to six, and flights from International Falls and Brainerd will increase from two to about five.

Other regional carriers are boosting service, as well, Theisen said. "They expect passengers to come back." 

Public airports in Minnesota

Minnesota has 135 public airports, 11 of which handle commercial traffic (denoted on the map with an airplane symbol).

Map courtesy Minnesota Department of Transportation aviation plan

Minnesota House and Senate Membership

1 A • Rep. Maxine Penas-(R) B • Rep. Tim Finseth-(R) Sen. LeRoy A. Stumpf-(DFL)	15 A • Rep. Al Juhnke-(DFL) B • Rep. Gary W. Kubly-(DFL) Sen. Dean E. Johnson-(DFL)	29 A • Rep. Jerry Dempsey-(R) B • Rep. Mike Osskopp-(R) Sen. Steve Murphy-(DFL)	43 A • Rep. Tom Workman-(R) B • Rep. Barb Sykora-(R) Sen. Edward C. Oliver-(R)	57 A • Rep. Nora Slawik-(DFL) B • Rep. Sharon Marko-(DFL) Sen. Leonard R. Price-(DFL)
2 A • Rep. Bernie L. Lieder-(DFL) B • Rep. Rod Skoe-(DFL) Sen. Roger D. Moe-(DFL)	16 A • Rep. Joe Opatz-(DFL) B • Rep. Jim Knobloch-(R) Sen. Dave Kleis-(R)	30 A • Rep. Fran Bradley-(R) B • Rep. Dave Bishop-(R) Sen. Sheila M. Kiscaden-(R)	44 A • Rep. Betty Follardi-(DFL) B • Rep. Jim Rhodes-(R) Sen. Steve Kelley-(DFL)	58 A • Rep. Joe Mullery-(DFL) B • Rep. Gregory Gray-(DFL) Sen. Linda Higgins-(DFL)
3 A • Rep. Irv Anderson-(DFL) B • Rep. Loren A. Solberg-(DFL) Sen. Bob Lessard-(IP)	17 A • Rep. Sondra Erickson-(R) B • Rep. Leslie J. Schumacher-(DFL) Sen. Dan Stevens-(R)	31 A • Rep. William Kuisle-(R) B • Rep. Gregory M. Davids-(R) Sen. Kenric J. Scheevel-(R)	45 A • Rep. Ron Abrams-(R) B • Rep. Peggy Leppik-(R) Sen. Martha R. Robertson-(R)	59 A • Rep. Len Biernat-(DFL) B • Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
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5 A • Rep. Tom Rukavina-(DFL) B • Rep. Anthony "Tony" Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	19 A • Rep. Mark Olson-(R) B • Rep. Bruce Anderson-(R) Sen. Mark Ourada-(R)	33 A • Rep. Arlon Lindner-(R) B • Rep. Rich Stanek-(R) Sen. Warren Limmer-(R)	47 A • Rep. John Jordan-(R) B • Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	61 A • Rep. Karen Clark-(DFL) B • Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
6 A • Rep. Thomas (Tom) Bakk-(DFL) B • Rep. Thomas Huntley-(DFL) Sen. Douglas J. Johnson-(DFL)	20 A • Rep. Robert "Bob" Ness-(R) B • Rep. Tony Kielkucki-(R) Sen. Steve Dille-(R)	34 A • Rep. Steve Smith-(R) B • Rep. Jeff Johnson-(R) Sen. Gen Olson-(R)	48 A • Rep. Bill Haas-(R) B • Rep. Connie Bernardy-(DFL) Sen. Don Betzold-(DFL)	62 A • Rep. Jim Davnie-(DFL) B • Rep. Wes Skoglund-(DFL) Sen. Julie A. Sabo-(DFL)
7 A • Rep. Dale Swapinski-(DFL) B • Rep. Mike Jaros-(DFL) Sen. Yvonne Prettner Solon-(DFL)	21 A • Rep. Marty Seifert-(R) B • Rep. Richard Mulder-(R) Sen. Arlene J. Lesewski-(R)	35 A • Rep. Carol L. Molnau-(R) B • Rep. Mark Buesgens-(R) Sen. Claire A. Robling-(R)	49 A • Rep. Jim Abeler-(R) B • Rep. Luanne Koskinen-(DFL) Sen. Leo Foley-(DFL)	63 A • Rep. Jean Wagenius-(DFL) B • Rep. Mark S. Gleason-(DFL) Sen. Jane B. Ranum-(DFL)
8 A • Rep. Mary Murphy-(DFL) B • Rep. Bill Hilty-(DFL) Sen. Becky Lourey-(DFL)	22 A • Rep. Ted Winter-(DFL) B • Rep. Elaine Harder-(R) Sen. Jim Vickerman-(DFL)	36 A • Rep. Chris Gerlach-(R) B • Rep. Dan McElroy-(R) Sen. David L. Knutson-(R)	50 A • Rep. Tom Hackbarth-(R) B • Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	64 A • Rep. Matt Entenza-(DFL) B • Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
9 A • Rep. Kevin Goodno-(R) B • Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	23 A • Rep. James T. Clark-(R) B • Rep. Howard Swenson-(R) Sen. Dennis R. Frederickson-(R)	37 A • Rep. Dennis Ozment-(R) B • Rep. Mary Liz Holberg-(R) Sen. Pat Pariseau-(R)	51 A • Rep. Andrew Westerberg-(R) B • Rep. Ray Vandever-(R) Sen. Jane Krentz-(DFL)	65 A • Rep. Andy Dawkins-(DFL) B • Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
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11 A • Rep. Roxann Daggett-(R) B • Rep. Mary Ellen Otremba-(DFL) Sen. Dallas C. Sams-(DFL)	25 A • Rep. John Tuma-(R) B • Rep. Lynda Boudreau-(R) Sen. Thomas M. Neuville-(R)	39 A • Rep. Thomas W. Pugh-(DFL) B • Rep. Bob Milbert-(DFL) Sen. James P. Metzner-(DFL)	53 A • Rep. Philip Krinkie-(R) B • Rep. Carl Jacobson-(R) Sen. Mady Reiter-(R)	67 A • Rep. Tim Mahoney-(DFL) B • Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
12 A • Rep. Dale Walz-(R) B • Rep. Greg Blaine-(R) Sen. Don Samuelson-(DFL)	26 A • Rep. Bob Gunther-(R) B • Rep. Henry J. Kalis-(DFL) Sen. Chuck Fowler-(DFL)	40 A • Rep. Dan Larson-(DFL) B • Rep. Ann Lenczewski-(DFL) Sen. David H. Johnson-(DFL)	54 A • Rep. Mary Jo McGuire-(DFL) B • Rep. Mindy Greiling-(DFL) Sen. John Marty-(DFL)	
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Growing pains

Minnesota business climate has changed over the years, but still remains strong in the national context, despite criticism

BY MICHELLE KIBIGER

Even before Minnesota's statehood, people pondered what separates Minnesota from surrounding states as a place to establish a business.

Though the state drew initial settlers because of its timber, rivers, and other immediate amenities, many successful businesses in Minnesota were established by the state's own residents, either responding to needs of larger industries or looking for their own opportunities.

But studies also indicate the success of Minnesota entrepreneurs has lured large corporate headquarters to the state.

In his 1979 book, *Land of the Giants*, Don W. Larson discussed the factors setting Minnesota apart and the idea that local entrepreneurs were the primary driving force.

"Over the years, observers of the state's business scene have come up with some interesting reasons ranging from a superior work force to the harsh but invigorating climate, which, presumably, contributes to the exceptionally high productivity (of workers)," Larson wrote. "The simple reason Minnesota has more than two dozen of the country's largest firms headquartered here is that they all started in the state as tiny entities, grew, prospered, and found no overwhelming reason for making an expensive move elsewhere."

Though it's true that corporate headquarters seem to have moved in and out of Minnesota more frequently in recent years, Minnesota still ranks ninth among states for the number of Fortune 500 corporations located within its borders.

A brief history

Commercial developments in Minnesota's territorial days largely surrounded the state's timber and lumbering industries.

Henry Sibley, who would ultimately be elected the state's first governor, began lumbering in 1837. Other entrepreneurs, including Frederick Weyerhaeuser in 1860 and Thomas Barlow Walker in 1862, would cash in on the industry, as well.

The timber industry reached its peak in 1905, then rapidly declined. However, it remains a strong contributor to the state's economy today.

But timber was just one component of a tremendous business boom in the 1850s, according to Larson.

James J. Hill and other railroad investors saw the opportunity to develop railroads in Minnesota to transport goods in the rapidly developing lumber, grain, and milling industries. And the needs of those businesses led to the

other than transportation," he wrote, adding that the businesses would not have succeeded without railroads.

Gold prospectors George C. Stone, a Duluth businessman and Minnesota legislator, and Charlemagne Tower developed iron mines and a railroad to move the ore off the Iron Range and out to eastern markets. Stone and Tower were followed by the Merritt family.

In the early 1900s, food companies, such as Super Valu and Land O'Lakes, were founded as cooperatives to help independent producers compete.

And engineering giant Honeywell, now located in New Jersey, actually brought its corporate headquarters to Minnesota in 1927 as part of a merger with competitor Minneapolis Heat Regulator Co., which primarily produced thermostats.

World War II brought another economic



Photo courtesy of the Minnesota Historical Society

Railroad development, like this line connecting the Iron Range to Duluth, was instrumental in the overall development of business and industry in Minnesota.

development of other businesses, such as retail businesses, newspapers, printing companies, banks, and financial planners, and insurance brokers.

Larson credits "daring opportunists," like Hill, for making Minnesota so prosperous in the late 19th century.

"They were, after all, willing to risk millions of dollars (even if the money generally belonged to other people), and indirectly they were responsible for the success of a great amount of business activity in Minnesota

boom to Minnesota, as the federal government invested in defense plants and defense contracts to local businesses.

While those businesses reeled after the war without government contracts to support them, the post-war years gave birth to the supercomputer and high technology businesses that would become giants in the 1960s, 1970s, and 1980s.

In the 1990s, longtime manufacturer 3M (begun in the early 1900s), retail giants like Dayton Hudson Corporation, Northwest

Airlines, and General Mills were among the big players in the Minnesota economy.

A cut above

Many of Minnesota's original companies have maintained operations in the state, weathering the Great Depression, recessions, and heavy competition. In fact, several of the largest firms in the state are also among the largest in the country.

In 1960, seven Minnesota companies ranked in the Fortune 500 largest corporations in the United States. By 1974, that number had climbed to 13. At that time two of the prior listed had moved or merged with another company.

In 1986, 11 companies were among the top 500, including many of the same companies on the 1974 listing. That number had grown to 15 by 1990 and 16 in 2002.

However, absent from those rankings are the computer and technology giants that drove the Minnesota economy in the second half of the 20th century. Following World War II, the development of supercomputers at Control Data, Sperry Rand, Univac, and IBM put Minnesota's high technology sector on the map.

Competition among local and national firms for supremacy in high technology ventures was fierce for several decades. In fact, of the four major computer firms in Minnesota, minor operations of each still exist in the state.

Taking stock

In the 1970s and 1980s, two governor-appointed state commissions studied the factors that contributed to successful Minnesota businesses and what it would take to foster further development in the coming years.

The Governor's Commission on Minnesota's Future released a study in October 1975 concluding that Minnesota offered an attractive overall package to potential investors—including both a track record of success and a social structure that encouraged personal and business excellence.

It also concluded that many businesses driving the Minnesota economy were not transplants from other areas. Because the state's industries could not rely on raw materials, it had to develop skills, ideas, diversity, and

quality of goods and services to be successful, the report said.

"Most jobs have been created not by 'attractive industry' from elsewhere or by national or international organizations who have discovered here some obvious, conventional locational advantages waiting to be exploited," the report stated. "Instead, the vast majority of jobs have been organized by Minnesotans. ... The growth of national corporate headquarters emphasizes the importance of local entrepreneurship in the Minnesota picture."

The commission also noted that any outside talent was attracted by the strong community and business climate in the state.

Another report nearly 10 years later said Minnesota was still an attractive location for business, but that the state should do more to encourage the growth of emerging high technology industries.

The strong climate created by the post-war computer entrepreneurs was not enough, according to the 1983 Governor's Advisory Commission on Medical Technology study. Like the 1975 study, the report noted that technology industries were suited to Minnesota because, in general, they rely on innovation and skills, like traditional Minnesota industries.

About 150 manufacturing firms, specializing in medical technology, were located in Minnesota at the time the report was issued.

However, the report criticized the state's business climate for not providing a good place to facilitate transferring new ideas into products.

"While Minnesota is a good place to start a business, many members of the commission believe it is not a good place to continue a business," the report said, recommending better job training programs and better promotion of the state as a good location for business.

Though many businesses did locate and expand in Minnesota in the latter part of the 20th century, others were quick to leave. In some cases, a successful business would be purchased by another corporation, whose headquarters were located in another state. Such was the fate for Honeywell, Cray Research, and Unisys Corp.

A 1998 study by the University of

St. Thomas casts a far more pessimistic light on the issue of business migration from Minnesota.

The study surveyed businesses that had either moved corporate operations outside of Minnesota or expanded in other states.

Citing statistics from the Minnesota Department of Trade and Economic Development, the study concluded that high workers' compensation rates and high commercial/industrial real estate taxes were among the key factors for business decisions to relocate outside of Minnesota.

"In summary, the survey results do not paint a very positive picture of the business climate in Minnesota," concluded the report, written by George R. Karvel, Thomas A. Musil, and Richard Sebastian. "The business climate is perceived as better in the border states. ... Businesses are leaving, and the state of Minnesota is suffering significant social and economic losses."


The report also noted that businesses found the local incentives in other states to be more attractive.

Today versus yesteryear

In 1960, four economic sectors were reflected in the Fortune 500 rankings: manufacturing, industrial, food, and paper products.

With 16 companies, representing at least 10 different sectors, among the Fortune 500 headquartered in Minnesota in 2002, the highest number in recent years, the state appears to still be competitive in the national marketplace.

Two of those companies were on the 1960 list. Three were listed in 1986. And though headquarters of some top companies have left the state or merged with other companies, the core group of original businesses remains and is diverse enough to support the local economy.

Larson described it this way in 1979: "Without question, the healthiest factor, next to the sheer size of the companies involved, is the remarkable diversification of the industries operating in Minnesota. No single industry dominates the scene, and this nicely protects the state when the inevitable downturn hits particular segments of our society." 

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

Now is the time

After eight years in the House, Daggett says someone else should have privilege of participating in the legislative process

By DAVID MAEDA

Prior to her election to the House in 1994, Rep. Roxann Daggett (R-Frazee) was a motivational speaker giving presentations to groups about time management and goal setting.

After making strides on many of her legislative goals, she has decided to allow someone else to take part in the lawmaking process.

"When I made the decision to run I knew it wasn't something I would do forever and I really thought eight years was a good number," she said. "Because we are a citizen Legislature, I think of how many others should have the opportunity to do this."

She considered not running two years ago, but her husband, Dave, encouraged her to seek re-election and see how the redistricting process would affect her district.

When the new boundaries were unveiled in March, Daggett, who moved to Frazee when she was 5 years old and now lives a mile outside the city limits, lost the city as part of her district. She and her husband then made a mutual decision that it was indeed time to step down.

Daggett's professional background provided good training for her House experience, she said. Having served as state president of a volunteer community service organization that has since become the Women of Today, she spent 15 years speaking to business and women's groups.

She said that one of the most satisfying parts of her speaking career was being able to "motivate people to do things that they probably never thought about doing."

Now she says she is looking forward to returning to her speaking career because "I have a lot more material."

Daggett originally decided to run for the Legislature in part because she felt the state's workers' compensation premiums and taxes were causing businesses to leave Minnesota.

Major modifications were made to the workers' compensation system the year following her election, and she said it was encouraging to participate and see that changes can indeed occur.

Another issue central to her initial campaign,



PHOTO BY ANDREW VON BANK

Rep. Roxann Daggett is leaving the Legislature after four terms, saying it is time for someone else from her area to take part in the lawmaking process.

welfare reform, also soon became law through the actions of both federal and state lawmakers.

But she cites her involvement in tax policy as one of her proudest accomplishments. Daggett served eight years on the House Taxes Committee, the last four as vice-chair.

She admits that she didn't have much formal background on tax law prior to her committee work "other than I knew I did not want to raise taxes," but she said she is proud of the changes made during the past few years, including income and property tax rate reductions.

"I felt like I was getting a Ph.D. in tax and I'm still probably in the first year because it's a very complicated area of our government," she said. "We tried, and I think we've done some good legislation towards trying to make our tax code simpler."

Along with working on a satisfactory final product comes a certain awe in just being part of the Legislature for Daggett.

"I remember the first time we had the state of the state (the governor's annual policy speech), standing in the House chamber," she said. "First the Senate comes in and all the Supreme Court justices, and the past governors, and all the constitutional officers ... and I'm sitting there looking at all these people thinking, 'Wow this is fantastic.' And there have been many moments I felt like that."

Rep. Dan McElroy (R-Burnsville), who also serves on the tax committee, describes Daggett as "steady, positive, and always incredibly dependable. I will miss her and the process will miss her."

McElroy said that in addition to her tax contributions, Daggett has carried a number of "tough bills" including a telemarketing no-call-list measure and a prevailing wage proposal that helped make the way easier for subsequent bills.


Rep. Ann Lenczewski (DFL-Bloomington) said it was a "great experience" being able to learn from Daggett's Greater Minnesota perspective while serving on the taxes committee.

"There's always a lot of professionalism and integrity to her work," Lenczewski said. "She did a great job representing rural Minnesota."

Daggett looks forward to spending more time with her husband, two children, and two grandchildren. Her father was also excited to hear news about her decision not to run again.

"He said 'Oh good you can go fishing with me now,'" Daggett said, referencing all the time spent campaigning and attending meetings.

Still, Daggett says she'll look back fondly at her years in the House.

"It has been such an incredible opportunity, and I feel so lucky to have had the privilege of serving here," she said. "There's so few people that get this opportunity and I was the lucky one that got to serve." 

STEPPING DOWN

Rep. Roxann Daggett
Republican
District 11A — Frazee
Terms: 4

Career notes: Daggett is currently the chair of the House Ethics Committee, and she serves on the main tax committee, both its divisions, and the capital investment committee. She has successfully sponsored an income tax credit for long-term care and a plan allowing for reciprocal hunting licenses between Minnesota and North Dakota.

Fun while it lasted

After nearly three decades as a member of the House, Kalis says it's time to step down

By THERESA STAHL

When Rep. Henry Kalis (DFL-Wells) first considered running for office, the editor of his local newspaper asked when he planned to file for candidacy.

He said he'd get around to it the next time he was in the metro area. She had a different idea.

"She said, 'It seems to me if you're going to run for office you ought to let people know you want the job,'" Kalis recalled.

At 2 a.m. the day the Secretary of State's Office opened for filing, Kalis, his wife, and their three young children headed for St. Paul.

"I think the record would show that I was here first each time I've filed, which would have been 14 times."

"Every year I made it a practice," he said, "but it got earlier and earlier every year. I believe last year I was here at two in the afternoon," he said, chuckling.

Kalis said he believes the editor's theory has merit.

"I enjoy this job and I think when you like something you should show people you like it," he said.

But he said he didn't have the same feeling as all those years before on the night after the election for his current term.

"Something was telling me maybe you've done this long enough," he said.

So, at age 65, after 28 years in the House, Kalis is retiring.

He said it's the hardest decision he's made, though he recalls a few other tough moments as a young lawmaker.

Early in his career, Kalis said making any decision was difficult until he had confidence that he was doing the right thing.

"It was before I really understood that in a democracy you are sent here to make decisions, and knowing full well that not everyone was going to like everything I did," he said. After that, "it made the job a whole lot easier."

Serving on the House budget appropriations committee was a turning point for Kalis in starting to feel comfortable, he said.

"I understood everything is driven by the budget and that successful legislators always look to the future. Even though sometimes it's



PHOTO BY ANDREW VON BANK

Rep. Henry Kalis, who is retiring after 14 terms in the House, was the first legislator to file his candidacy papers before each election.

hard to understand what we do, our constituents really expect us to look long term."

Kalis said legislators need to have a philosophy, his being the belief that government can do some good for people.

Rep. Dave Bishop (R-Rochester) said Kalis' philosophy on government may have been in conflict when Kalis served as chair of the House Capital Investment Committee.

"One of the odd things about Henry's service on capital investment is he really doesn't like debt," Bishop said. "He's against public debt, but that's what the bonding bill is all about. He wanted to know why (a project) should be done with public, borrowed money."

Bishop said Kalis is "a very thoroughly prepared conservative Democrat," and a "man of integrity."

"Most times he has not had anything in the bill for himself," Bishop said. "He has not tried to play political games, and he has been very knowledgeable."

And House members seem to know that, says Rep. Alice Hausman (DFL-St. Paul), because when Kalis stands to speak on the House floor, members listen.

"You can see that conversation stops, activity stops, and people listen to him," she said. "He speaks from his heart and his comments reflect integrity and common sense."

He sometimes makes such a compelling argument that he's changed some members' votes, including hers, Hausman said.

She and Kalis have long worked together on transportation committees and are friends.

"He is proof that a metro and rural legislator can bridge those regional gaps," Hausman said.

Kalis said he was able to be a representative for 28 years because of "a spouse that really carried a big load for me." His wife, Violet, managed the farm and took care of their four children during session.

While he couldn't make it to a lot of his kids' activities, his children had different advantages from their father's public position.

"All my kids have an ability to communicate," which Kalis said he believes comes from his involvement in the Legislature. "It comes from being pushed out into the limelight with us campaigning."

Kalis realizes his experience as a legislator is rare, and that his 133 cohorts all have something in common.

"We've campaigned, we've all worked through tough elections, we've all pounded on doors, which is unique in society," he said. "We're a very small percentage."

It's quite an honor, he said, to be the only person in his 34,000-person district serving in the House.

"I don't know if anyone else can say that after serving 28 years," he said. "I can say I really enjoyed this." 🐼

STEPPING DOWN

Rep. Henry Kalis
DFL
District 26B — Wells
Terms: 14

Career Notes: Kalis has served as chair of the Capital Investment and Transportation Policy and Finance Committees during his House service. He sponsored the 1988 gas tax law (the last time it was raised) and he worked to pass the Groundwater Protection Act and build veterans homes.

Tariff help wanted

State, federal officials looking at ways to aid a Minnesota industry, retired steel workers

By THERESA STAHL

The American steel industry is in crisis. The Minnesota Legislature has repeatedly urged action at the federal level, but recent federal actions won't necessarily help Minnesota industry, officials say.

In March, President Bush imposed tariffs on steel imports for three years, however, the tariffs won't affect Minnesota taconite — the raw material mined on the Iron Range. The tariffs generally apply to finished steel.

"The steel industry got relief, but not Minnesota," said Rep. Tony Sertich (DFL-Chisholm).

Beginning in 2002, the United States will assess a 30 percent tariff on most imported steel the first year, 24 percent the second year, and 18 percent the third year. Big steel companies had lobbied for a 40 percent tariff.

The tariffs were put into place to give the steel industry a chance to get on its feet, and

job losses because as prices go up, less is demanded, and fewer sales mean fewer jobs.

Bush's decision was a response to a practice known as "dumping," which is when other countries sell inexpensive steel to American manufacturers. Steel-producing states, including Minnesota, have sent resolutions to the president and Congress asking for action that would address the unfair trade practices.

Minnesota was severely affected by the closing of the Hoyt Lakes-based LTV Steel Mining Co. when it went bankrupt in February 2001. LTV had been the third-largest steelmaker in the nation.

A resolution (HF219/SF258*/R1), which Gov. Jesse Ventura signed on March 15, 2001, specifically requested that the Bush administration investigate the dumping of steel products, which caused the loss of 1,500 jobs for steel workers in Minnesota.

The recently imposed tariffs won't bring

"It helps the finished steel product, but it doesn't necessarily mean they'll come to Minnesota to get pellets."

— Rep. Tom Rukavina

hopefully limit job losses and future steel company closings.

The federal Commerce Department submitted a report to Bush finding that "iron ore and semi-finished steel ... are important to U.S. national security, but that imports of these two items do not threaten to impair U.S. national security."

Critics say Bush's decision was a political one — that he's trying to win votes from union workers who historically side with the Democratic-Farmer-Labor party.

Others speculate the tariffs will raise prices on cars, houses, and appliances.

Michael LaFaive, in an article written for the Michigan-based Mackinac Center for Public Policy, contends the tariffs will result in more

back jobs or bring more business to Minnesota, according to Rep. Tom Rukavina (DFL-Virginia).

"It helps the finished steel product, but it doesn't necessarily mean they'll come to Minnesota to get pellets," he said.

Minnesota produces only taconite pellets. Steel makers, which use blast furnaces to make new steel, purchase taconite pellets or slab steel for their product.

The tariffs barely address the dumping of slab steel, lawmakers say.

"They did put tariffs on slabs, but they set the threshold at about the level they are coming in today, so it doesn't really help us," said Rep. Tom Bakk (DFL-Cook).

U.S. Rep. Jim Oberstar (D-Minn.) asked

U.S. steel makers to commit to using "domestic taconite and voluntarily terminate their consumption of any foreign slab steel."

Bakk is hopeful for Oberstar's request.

"If they're helped on the finishing end, maybe they can afford what is a higher cost on the raw material end."

Rukavina said another downfall of the tariffs is they don't affect Mexico or Canada because of the North American Free Trade Agreement (NAFTA), so those countries will be able to continue selling slab steel at lower prices.

Some say tariff retaliation is inevitable. Already news organizations are reporting that the European Union and other U.S. trading partners may respond with tariffs of their own on steel, clothing, or citrus fruits.

Plant closings and dumping are not the only problems facing the nation's steel industry.

About 600,000 retired workers, including about 3,500 Minnesotans, are at risk for losing pensions and health care benefits, costs that could run up to \$10 million. A bill recently introduced in the U.S. Senate, which U.S. Sens. Mark Dayton (D-Minn.) and Paul Wellstone (D-Minn.) have signed onto, would cover health care "legacy costs."

Dubbed the "Steel Industry Legacy Relief Trust Fund," the federal legislation (S2189) would guarantee health coverage and basic life insurance for retired steel workers whose companies have gone bankrupt. Part of the money for the fund would come from the steel tariff revenues.

Legacy costs are often a barrier to industry mergers, so the bill would work to aid the tariffs. Currently, 33 American steel companies have filed for bankruptcy, 17 of which have completely shut down.

The bill, however, would not assist with pension payments.

In February 2002 the Pension Benefit Guaranty Corporation gave LTV plan participants a 45-day notice of its intention to terminate the pension plan, based on its analysis that the plan was no longer fully funded.

The Minnesota Legislature sent a resolution (HF3411/SF3207*/R7) two weeks later to the corporation stating LTV steel workers were given "virtually no notice" of the termination of their plans. The resolution was also sent to the U.S. Senate and the U.S. House of Representatives.

The Legislature asked the pension

Continued on page 22

Tracking new laws, vetoes

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

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

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

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

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

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

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
219	2698	2655*	Extending physical therapy board authority to adopt licensee ethics rules.	2/27	
220	351*	264	Omnibus budget balancing and appropriations bill.		2/25◆
221	97	58*	Changing terminology in statute of references to mentally ill.	2/27	
222	3049	3019*	Predatory offenders registration requirement expansion.	2/28	
223	1297	1471*	Municipal Board authority transferred to Office of Strategic and Long-Range Planning.	3/5	
224	2642*	2760	Mine inspector annual audit requirement modified.	3/7	
225	3116*	2822	Environment and Natural Resources Trust Fund provisions modified.	3/7	
226	2624*	2441	Shakopee Public Utilities Commission increased from three to five members.	3/7	
227	3148*	3025	Speech-language pathologist and audiologist registration requirements modified.	3/7	
228	2992*	2865	Occupational therapist temporary licensure terms modified.	3/7	
229	3062*	2839	Hennepin and Ramsey counties juvenile court judge term limits repealed.	3/7	
230	2748	2573*	Browns Valley school year start before Labor Day.	3/13	
231	2695*	2531	Minneapolis Firefighters Relief Association retirement provisions corrections provided.	3/13	
232	58*	389	Beer kegs identification and sales requirements.	3/13	
233	3190*	3111	Juvenile court data in statewide supervision system.	3/13	
234	2783*	2671	No-fault auto insurance residual liability coverage regulated.	3/14	
235	1189*	1376	Election of municipal council members provided after annexation.	3/14	
236	1620*	2210	Orderly annexation agreements strengthened.	3/14	
237	2987*	2873	Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	3/14	
238	3202*	2801	Delano Public Utilities Commission increased to five members.	3/14	
239	2629*	2913	Retired professional designation for Board of Architecture, et al.-licensed retirees.	3/14	
240	3309*	3082	Nursing home licensed bed lay away authorized during moratorium projects.	3/14	
241	2637*	2472	Temporary town officeholders authorized in event of inability or refusal to serve.	3/14	
242	3344*	2892	Second Judicial District combined jurisdiction program authorized.	3/14	
243	3296*	3206	State employee Social Security administrative duties transfer.	3/14	
244	1547	1495*	Omnibus agriculture policy provisions modifications.	3/15†	
245	2612*	2562	Licensed architect, et al. requirement circumstances revised.	3/15	

◆ - veto overridden by the Legislature

† - Filed without signature

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

CH	HF	SF	Description	Signed	Vetoed
246	2899*	2711	Livable community demonstration account provisions modified.	3/21	
247	3584*	3302	Judgment calculation interest rate formulas modified.	3/21	
248	2813*	2803	Child care providers required to develop policies for reporting suspected child maltreatment.	3/21	
249	2766*	2475	Motor vehicle fuel franchise sale federal code compliance expiration date removed.	3/21	
250	3189*	3135	Street-sweeping vehicles defined as special mobile equipment for registration purposes.	3/21	
251	2742*	2757	State agency contested case procedures regulation provided.	3/21	
252	2531*	2381	Hospice care providers regulated, and criminal penalties imposed.	3/22	
253	3275	2932*	Citizen water quality monitoring encouraged.	3/22	
254	3133	2971*	State procurement competitive bidding for building and construction contract references codified.	3/22	
255	1097	1072*	"Grace" state photograph designation.	3/22	
256	3074	2834*	Steele County recorder appointment.	3/22	
257	3512	3258*	Garfield state land exchange.	3/22	
258	2652	2434*	Polk County recorder and auditor-treasurer appointment.	3/22	
259	2603	2627*	Optometrists and physicians contact lenses prescriptions regulated.	3/22	
260	3238	3115*	State energy efficiency installment purchases regulation provisions modified.	3/22	
261	3462	3080*	Funeral trust account provisions modified.	3/22	
262	3348	3136*	Workers' compensation provisions modified.	3/22	
263	2753	2590*	Carlton County recorder appointment authorized.	3/22	
264	2796*	2670	Minneapolis asphalt plant construction authority.	3/22	
265	2792*	2575	Appliance recycling required.	3/22	
266	3373	3045*	Fourth Judicial District domestic fatality review team pilot project extension.	3/25	
267	3362	3109*	Municipal police departments black patrol vehicles.	3/25	
268	2662	2611*	Interstate compact for adult offender supervision.	3/25	
269	1934	1030*	National crime prevention and privacy compact.	3/25	
270	94	222*	Game and fish laws gross overlimit violations penalties.	3/25	
271	2873	2578*	County human services and public health clients support programs.	3/25	
272	2993	2463*	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	3/25	
273	3263	3167*	Sex offenders civil commitment determinations data access authority.	3/25	
274	1413	1226*	No-fault automobile insurance full medical expense benefits entitlement.	3/25	
275	3276	3100*	Medical assistance reimbursement for tribal health services.	3/25	
276	3291	3124*	Nursing and board care homes resident reimbursement classifications provisions modification.	3/25	
277	3245	3126*	Health care and human services programs provisions technical modifications.	3/25	
278	3061	3117*	Metropolitan Council interceptor facilities continued use determination.	3/25	
279	2600	2419*	Child care programs wading pools public swimming pools regulations exemption.	3/25	
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27◆
281	2678	2768*	Medical assistance demonstration project provisions modified.	3/26	
282	3579	3073*	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	3/26	
283	2570*	2553	Automobile insurance damaged window glass claims payment basis modified.		3/26◆
284	3274	3068	Military service protection.	3/26	
285	2882*	3122	Electric personal assistive mobility device and roadway and sidewalk regulations.	3/26	
286	3078	2821*	Real estate brokers and salespersons regulatory provisions modifications.	3/26	
287	2664	2459*	Supplemental nursing services agencies registration criteria expansion.	3/26	
288	1885	2115*	Motor vehicle dealers surety bond requirements clarification.	3/26	
289	3091	2764*	Mentally retarded persons incidents and emergencies reporting standards modification.	3/26	
290	2932	2614*	Foster care placement communicable diseases disclosure requirement.	3/26	
291	3080	3055*	Metropolitan transit police provisions modifications.	3/26	
292	2757	2692*	Human services licensure.	3/26	
293	2889	2933*	Individual sewage treatment systems installation.	3/26	
294	2635	2550*	Special education services costs reimbursement.	3/26	
295	3222	2953*	Fire insurance excess coverage prohibitions.	3/26	
296	2933	2546*	Rockville and Pleasant Lake consolidation plan joint development required.	3/26	
297	2884*	2715	Motor vehicle excessive gross weight civil fine imposition modified.	3/26	
298	3196*	2966	State procurement law ethical provisions clarified.	3/26	
299	3205	2890*	Public works contracts regulated.	3/27	
300	3223	2793*	Out-of-state facilities for children with severe emotional disturbance certification plan required.	3/27	
301	2842	3244*	Evidentiary laboratory blood sample reports electronic signatures.	3/27	

CH	HF	SF	Description	Signed	Vetoed
302	3224	3034*	Hennepin County Medical Center cooperative purchasing authority.	3/27	
303	3240	2814*	Electronic voting authorized for cooperatives.	3/27	
304	2596	2673*	Child custody provided for by de facto custodians and third parties.	3/27	
305	3328	3278*	Driver's education organ and tissue donation instructions.	3/27	
306	3079	2697*	Real estate transactions disclosure requirements.	4/1	
307	3492	3315*	Insurance provisions modification; medical malpractice insurance joint underwriting assoc. issuance prohibition.	4/1	
308	3221	3145*	Military justice code revisions.	4/1	
309	3506	3084*	State and local government units auditing and reporting requirements modifications.		4/1
310	1224*	887	Medical response unit registration provided.	4/1	
311	2785	2542*	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	4/1	
312	3519	2675*	State agencies required to use cleaner fuels.	4/4	
313	2647	2569*	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	4/4	
314	2840	2580*	Criminal prosecution estoppel provisions modified.	4/4	
315	3169	2881*	Housing; municipal low-income housing authority specified.	4/5	
316	3076	2612*	Funeral procession escort private vehicle authorized to use flashing red lights.	4/5	
317	3029	2680*	Energy building code requirements changed in certain instances.	4/5	
318	3058	2739*	Cities additional liquor licenses; hotel rooms liquor cabinets hours of sale restrictions exemption.	4/5	
319	2706*	3076	Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided.	4/5	
320	3030	3322*	Metropolitan Council existing service capacity external use provided.	4/8	
321	3034	2949*	Background check public criminal history data expanded.	4/8	
322	2841	2533*	Criminal offenders county correctional services costs payment.	4/8	
323	2684	2678*	Natural Resources Department provisions modifications.	4/8	
324	3432	3352*	Dry cleaner environmental response and reimbursement.	4/8	
325	3209	3054*	Petrofund consultant and contractor registration period modifications.	4/8	
326	3464	3174*	Money Transmitter Act small business category created.	4/8	
327	1763	1811*	Public drainage systems jurisdiction transfer.	4/8	
328	1683	2150*	Technology circuits or systems contractors and power limited technicians.	4/8	
329	3125*	2987	Telecommunications access for communication-impaired persons program renamed.	4/8	
330	2988*	3023	Insurance licenses, fees, and coverages regulated; health care administration simplified.	4/8	
331	3497	3015*	Commerce Department insurance fraud prevention; crime of employment of runners.	4/10	
332	2719*	2827	Uniform Athlete Agents Act providing student athlete agent registration adopted.	4/10	
333	1517*	1443	Swimming pool requirements established for family day care homes.	4/12	
334	2835	3028*	National and community service commission nonprofit corporation creation.	4/12	
335	2735	2457*	Civil commitment standards modifications; mental health system report.	4/16	
336	2763	2592*	Mutual insurance holding companies reorganization to stock companies.	4/16	
337	3537	3288*	Firefighters interest arbitration decision provision expiration date extension under PELRA.	4/16	
338	3455	3380*	Postnuptial contracts provisions modifications.	4/16	
339	2751	2650*	Credit unions regulation provisions modifications.	4/16	
340	3445	3238*	Nonprofit neighborhood organization members directors election, voting right notice option.	4/16	
341	3193	2957*	Dentist practice violations reporting requirements.	4/17	
342	3257	2988*	Financial institutions detached facilities, charges and fees, and mortgage prepayment penalties regulated.	4/17	
343	2687	3075*	Motor vehicle sales tax payment for sales in violation of dealer licensing requirements.	4/17	
344	3393	3114*	Child support obligors limited driver's licenses and payment agreements.	4/17	
345	1524	1555*	Fertilizer use regulated.	4/19	
346	2935	2909*	Health maintenance organizations rural demonstration project authorized.	4/19	
347	2657	2540*	Probate property succession provisions modified.	4/19	
348	3048	2460*	Criminal penalties for persons who take responsibility for criminal acts provided.	4/24	
349	2473*	2807	Darlene Luther Anatomical Gift Act specifying intent and consent requirements.	4/24	
350	2525	2960*	Certain fireworks legalized; unpaid volunteer firefighting leave.	4/29	
351	2920	2674*	Omnibus game, fish and forest bill provisions modifications.	4/29	
352	2618*	3373	Personnel not public data sharing authority.	5/1	
353	1359	2125*	Wildlife management areas land additions and ATV use regulations.	5/1	
354	3249	2998*	Certain alcohol and drug counselors licensing requirements waived.	5/1	
355	2970*	3010	Recreational motor vehicles use provisions modification.	5/1	
356	3509	3257*	Housing and redevelopment authority officers grant or loan eligibility.	5/1	
357	2492	2363*	Homeowners and automobile insurers credit scoring use restriction and regulation.	5/1	
358	2995	3168*	Walker authorized to maintain and operate state water tower at Ah-Gwah-Ching.	5/1	

Tuesday, April 30

HF3718—Kahn (DFL)

Commerce, Jobs &

Economic Development Policy

Minneapolis authorized to issue on-sale wine and malt beverage license to the Southern Theatre.

HF3719—Finseth (R)

Agriculture Policy

Pesticide applications on human areas by overspray or target site spray prohibition clarified.

Wednesday, May 1

HF3720—Davids (R)

Commerce, Jobs &

Economic Development Policy

Terrorism; federal backstop for insurance against terrorism legislation urged by resolution to the president and Congress.

COMMITTEE SCHEDULE

MAY 6 - 10, 2002

Schedule is subject to change.

For information updates, call House Calls at **(651) 296-9283**.

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<http://www.house.mn/hinfo/schedule/index.htm>.

MONDAY, May 6

1 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, May 7

9 a.m.

Citizen Advisory Committee to the Legislative Commission on Minnesota Resources for the Environment and Natural Resources Trust Fund

5 State Office Building

Chr. Nancy Gibson

Agenda: Orientation and CAC business -

Background; Discuss task force report with Rep. Dennis Ozment; Discuss conflict of interest information with Peter Wattson, Senate Counsel (invited); Develop CAC work program, including CAC budget for remainder of 2002-03 biennium and for 2004-05 biennium.

Break for lunch (one hour).

2003 proposal review - Review LCMR hearing schedules and timeframes; Review funding priorities and evaluation criteria; Summary of proposals; Summary packets and proposals distributed; Preliminary review of proposals.

10 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

Basement Hearing Room

State Office Building

Chr. Rep. Jim Rhodes

Agenda: HF1671 (Holsten) Heritage enhancement fund and council established, sales tax revenue dedicated, lottery ticket payments in lieu of sales tax disposition modified, and constitutional amendment proposed.

SF3024 Conference Committee

Department of Commerce Housekeeping Bill
112 State Capitol

Chrs. Rep. Bill Haas, Sen. Linda Scheid

WEDNESDAY, May 8 - FRIDAY, May 10

No meetings have been announced.

Continued from page 18

corporation to delay terminating the LTV Steel Mining Pension Plan until March 2003 in order to enable LTV employees and the state "to study possible alternatives to a Pension Benefit Guaranty Corporation distressed termination."

The request wasn't met. On March 31, 2002, the corporation took control of the pension plans. Older retirees saw no change in the amount they received, but those who hadn't yet retired when LTV went bankrupt, depending on their age and years of service, saw their future pension reduced by up to half of what

they would have otherwise received.

Rep. Dan McElroy (R-Burnsville), chair of the House Jobs and Economic Development Finance Committee, says the effectiveness of resolutions is difficult to measure.


He pointed out the state is involved in new technologies that may bring more taconite business back to the state. The Legislature helps fund the 21st Century Minerals Fund, which is granting money for proposals that create a new product using taconite.

Iron nuggets, which have a higher iron content than taconite pellets, are being bought by

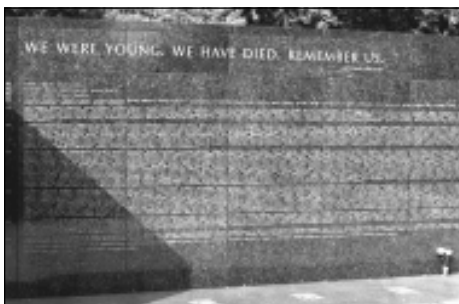
rapidly-growing mills. These mills, called mini-mills, account for about half of the country's steel production, according to Bakk.

"This is more critical than tariffs — we need to get into this value-added technology," Bakk said.

McElroy said the minerals fund should have enough money to fund all proposals to fund new ideas on the range.

"I'm supportive of tariffs to make taconite more competitive," he said. "It isn't enough to restore taconite to competition, but technology will help." 

Minnesota Memorials



Vietnam veterans memorial

The task of getting a Minnesota Vietnam Veterans Memorial on the state Capitol grounds began in 1987, but the dedication did not take place until five years later.

Teresa Vetter, whose link to the war was the death of a friend's brother while in combat, got the project rolling. She contacted a Vietnam veteran's organization and asked them to help raise funds. In the following years hundreds of others joined in the mission, including a woman who sat on a billboard in Forest Lake for 21 days.

Legislative help came in 1989 when former Rep. Doug Carlson (R-Sandstone) heard a commercial about the fundraising effort. He urged the Legislature to come up with \$300,000 for the project, which it did.

The names of fallen Minnesotans are engraved on a wall, the central point of the 2.4-acre site northwest of the Veterans Services Building. It also acknowledges POWs and MIAs.

The last American troops were evacuated from Vietnam during the fall of Saigon on April 30, 1975.

A contest was held to design the monument, and 218 entries were received. After more than two days of narrowing down the field, a Minnesota team won. The group consisted of Stan Sears, a sculptor and teacher at Macalester College, two of his students, Nina Ackenberg and Jake Costillio, and architect Rich Laffin. James Steele Construction Co. of St. Paul was contracted to build the memorial, but a lot of volunteer labor and materials were used in the construction.

Vetter was quoted in the *Minneapolis Star Tribune* at the Sept. 26, 1992 dedication, saying, "By no means is this memorial a glorification of war. To me it's simple. To me it says, 'Never forget and never again.'"

(M. COOK)

Reflections

Many lawmakers will leave the House at the end of the 2002 session. Reasons for stepping down are varied, but some are due to legislative districts being realigned after population shifts were recorded by the 2000 census.

Some lawmakers will retire from public life and others may continue their interests in public office by running for the Senate or a higher office such as governor, lieutenant governor, secretary of state, or auditor.

One leaving legislator, Rep. Doug Peterson (DFL-Madison) has announced he has accepted a position with an outside organization that works with the Legislature. The rest will likely return to full-time private careers or just enjoy retirement.

Although it may be commendable to prolong a devotion to public service, members who seek re-election are not assured of returning. Many must first face off in a primary race, then try and defeat an opposing political party candidate in November.

Every two years, House members face the challenge of making a decision about their future. And every 10 years, both the House and Senate members must decide if they want to step down or try again for office after redistricting. Once this transpires, senators do not have to run again or step down for four years.

But now and then the Legislature experiences a high turnover period where many members decide not to return voluntarily or are defeated in the general election.

The 1858 Legislature had 37 Senate members and 80 in the House, and members of the House only served one-year terms. By 1859, only four senators remained from the first legislature, the House retained only one member, and one House member moved over to the Senate.

Once the 1860 census was taken, the

imbalance in the district distribution was improved, but by no means made equal. When the third legislative session convened in 1861, the numbers had been changed again, this time to 21 Senate members and 42 representatives in the House.

As the state's population continued to rapidly increase in the latter third of the 1800s so did the number of legislators. In 1871 there were 41 senators and 106 House

m e m b e r s .
Twenty years later the numbers were 63 and 119.

During that period the Legislature experienced relatively similar levels of t u r n o v e r .
Though turnover did reach

more than half of the members in the early 1900s, no specific reasons were established for the turnover rate.

In 1913 when 67 senators and 130 House members gathered in St. Paul, new reapportionment laws were implemented, but legislators who were critical of redistricting "blandly ignored the constitution," said historian Theodore C. Blegen.

Drastic reforms did not occur until 1961. And those reforms specifically resulted in a high turnover among legislators.

Legislative changes made that year included a regular session extension from 60 days to 120 days. Also, congressional districts were changed from nine to eight statewide. The changes played a major role in the future of lawmakers with 56 members leaving the House, many of whom were farmers that could not wait to plant their crops.

Those who run for the Legislature take on very important responsibilities. Most become so involved in public service, while participating in the tradition and unique collegiality at the Capitol, it is difficult for them to leave for whatever reason they may find necessary.

—LECLAIR GRIER LAMBERT



A view of the House Chamber from the left alcove.

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

MINNESOTA INDEX

Minimum wage earners

Minnesota minimum wage rate per hour	\$5.15
Minimum hourly wage if company's gross sales are less than \$500,000	\$4.90
Training wage that can be paid to employees under age 20 in their first 90 consecutive days of employment	\$4.25
Year federal minimum wage was last raised by Congress	1997
Times the federal rate has been raised since its 1938 enactment	19
States, like Minnesota, with minimum wage rates equal to the federal rate	29
States with no minimum wage law	7
States with higher minimum wage laws than the federal level	11
Rate in Washington state (nation's highest)	\$6.90
Number of minimum wage workers in Minnesota in 2001	59,600
As percent of state workers	2.5
Percentage of Minnesotans earning \$7 per hour or less	10.9
\$6 per hour or less, as percent	5.7
Percentage decrease in number of minimum wage workers in Minnesota from 1996 to 2001	74
Minimum wage earners that are age 25 or older in 2001, as percent	54
Percentage of Minnesota minimum wage earners who are female	67
Percentage in 1996	58
Percentage of African-American workers who earn minimum wage	3
Percentage of Hispanic workers	3
Percentage of Caucasian (white) workers	2.5
Part-time workers earning minimum wage or less, as percent	6.5
Full-time workers, as percent	1.5
Minimum wage earners with a high school diploma or less, as percent	55
Percentage of minimum wage earners who are not married or do not currently live with their spouse	82
Workers earning minimum wage who are living in households below the poverty threshold, as percent	18
People working in the Twin Cities metropolitan area earning minimum wage or less, as percent	1.9
In Greater Minnesota, as percent	3.5
Percentage of minimum wage jobs in service occupations	45
In technical, sales, and administrative support, as percent	29
In sales, as percent	11
Workers earning minimum wage who are employed by eating and drinking establishments, as an approximate percent	33

Sources: *Minimum Wage Workers in Minnesota*, Minnesota Department of Labor and Industry, February 2002; U.S. Department of Labor; Jobs Now Coalition.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

MAY 10, 2002

VOLUME 19, NUMBER 15

In this issue:

FEDERAL TAX CHANGE IMPACT

ENVIRONMENTAL FUNDING PLAN STALLS, AND MORE

HF3721-HF3726

Session Weekly

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

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People — Rep. Tom Bakk (DFL-Cook) will not seek re-election to the House this November, opting to pursue a seat in the Minnesota Senate left open by the retirement of Sen. Doug Johnson (DFL-Tower). • 12

People — Rep. Gregory Gray (DFL-Mpls) is leaving the House after two terms to run for the constitutional office of state auditor. • 13

Policy — Developing technology, including global positioning systems, may provide policy makers with transportation funding options beyond the gas tax. • 14

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On the cover: Viewed from the fifth floor of the State Office Building, the State Capitol building magnificently stands beneath the cool spring rain that showered the campus grounds on May 7.

—Photo by Becky Ekstam

Constitutional clash

Plan to dedicate portion of the state sales tax to environmental purposes met with resistance

By SARAH MCKENZIE

A bill that would tap a portion of the state's sales tax revenue stream for environment and natural resources programs appears to have lost its momentum in the House.

The measure (HF1671) calling for a constitutional amendment to dedicate funding for conservation programs, zoos, parks, and trails had been gaining traction in recent days.

It would require the Legislature to tap three-sixteenths of 1 percent of taxable sales for the programs beginning July 1, 2005. The fund — estimated to generate more than \$120 million annually — would expire June 30, 2026.

At a House State Government Finance Committee hearing on May 8, the bill's sponsor, Rep. Mark Holsten (R-Stillwater) requested that consideration of the bill be delayed.

The request came in response to an amendment offered by Rep. Phyllis Kahn (DFL-Mpls) that would have called for a similar dedicated fund for public education.

Kahn said voters should have the opportunity to increase spending on another state priority that she argues has not received enough funding.

Before she offered the amendment, however, Kahn said she objected to establishing dedicated funds, arguing the amendment would set a bad precedent for the budget process.

Holsten urged Kahn to introduce her own bill and strongly objected to the amendment.

"This is a hijacking of my bill," Holsten said.

The committee adjourned May 8 without taking action on the bill — leaving the measure's fate uncertain as the session's May 20 constitutional deadline approaches.

However, there are ways the bill could still reach the floor: Holsten could request that the measure be revisited in the House State Government Finance Committee or that it be pulled from the committee and moved to another panel. He could also introduce the measure again as a different bill and request that the speaker refer it to a different committee. Ultimately, the bill would require the approval



PHOTO BY ANDREW VON BANK

Kelby Thone, 9, of Shakopee testifies before the House Governmental Operations and Veterans Affairs Policy Committee May 7 in support of a bill that would dedicate a percentage of the state sales tax to environment and natural resources programs.

of the House Rules and Legislative Administration Committee because it did not meet proscribed deadlines.

The bill had been scheduled to have a hearing before the House Taxes Committee on May 9, indicating leaders may have expected it to continue rapidly through the committee process.

New life was breathed into the measure earlier this month. The measure has floated around the Legislature for four years, making stops in the House Environment and Natural Resources Policy and Finance committees.

Holsten and Sen. Bob Lessard (Ind.-Int'l Falls), sponsor of the Senate companion measure, announced May 2 that they would push for the bill's passage this session after a number of gu-

bernatorial candidates signed on to the idea.

The lawmakers held a news conference to announce plans to push for the bill's passage.

"We have the opportunity to pass this legislation yet this year and to have it presented to voters on the ballot this fall," Holsten said. "This constitutional amendment helps ensure that today's traditions are pursued and enjoyed by future generations."

The measure cleared the House Governmental Operations and Veterans Affairs Policy Committee on May 7.

Supporters of the measure — including environmentalists and hunters — argue that the state needs a stable, dedicated fund to ensure that environment and natural resources programs don't suffer in lean budget times.

"The major focus of this bill is to infuse funds into our environment — to enhance it, to protect it, and to improve it," Holsten said at the hearing.

John Curry, legislative director for the Minnesota Center for Environmental Advocacy, said the state's outdoor industry generates \$3 billion annually — a significant source of tax dollars for Minnesota.

But as a beneficiary of state funding, environmental initiatives often trail behind other state priorities, he said.

"When the final dime is being allocated, the environment loses out to the acute human interests," Curry said, pointing to spending on public safety, health care, and human services.

Meanwhile, critics of the measure raised concerns that the bill would draw down the state's general fund.

And some speculated that state agency budgets could suffer if the Legislature determines that the dedicated fund is sufficient to pay for environmental and natural resources programs.

However, the bill specifies that the dedicated fund is intended to supplement state spending.

"The money dedicated under this section shall be appropriated by law and shall not be used as a substitute for traditional funding sources for the purposes specified," the bill reads.

Before the policy committee voted to move the bill to the House State Government Finance Committee, members adopted an amendment that struck a section of the bill calling for the establishment of an oversight council to distribute the funds.

Rep. Philip Krinkie (R-Shoreview), who offered the amendment, said it would be more appropriate to determine how the funds

should be administered after voters ratify the amendment.

Although the committee had been principally charged with reviewing that section of the bill, the hearing continued to allow for public testimony and consideration of other amendments.

One testifier lightened the mood of the hearing.

Outdoors enthusiast Kelby Thone, 9, of Shakopee attended the meeting with her dad. She urged committee members to approve the bill.

"All my friends enjoy the outdoors," she said.

Committee Chair Rep. Jim Rhodes (R-St. Louis Park) later allowed the young testifier to take his gavel and adjourn the meeting.

Members also approved an amendment offered by Rep. Mike Jaros (DFL-Duluth) that would set aside 2 percent of the dedicated fund to be split between the Minnesota Zoological Garden in Apple Valley, the Como Park Zoo and Conservatory in St. Paul, and the Lake Superior Zoo in Duluth.

Holsten said he opposed including the zoos in the bill, arguing the measure was designed to focus on the state's water bodies, land, and forests.

Liz Anderson, deputy director of St. Paul Parks and Recreation, which oversees the Como Park Zoo and Conservatory, called the zoos a "natural fit for the bill."

"Our main mission is one of conservation," Anderson said.

Another amendment adopted during the hearing reallocated the distribution of funding called for in the bill in the following manner:

- 51 percent to improve fish and wildlife habitat;
- 20 percent for state parks and trails;
- 20 percent for parks in the Twin Cities metropolitan area;
- 7 percent for grants-in-aid trails, typically set aside for snowmobiles, and local and regional parks and trails; and
- 2 percent for zoos.

The bill's companion in the Senate (SF1589) cleared the Senate State and Local Government Operations Committee on May 8 and has been referred to the Senate Finance Committee.



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Everything old is new again

**1957 report prescribes reorganization of
Public Service Department, ultimately abolished in 2001**

Government reorganization plans never seem to go out of fashion in Minnesota. The state has a long history of self-examination and restructuring services.

Such was the impetus for the Department of Public Service in the 1960s. The same theory would call for its assimilation into the Department of Commerce at the end of 2001.

The Public Service Department directly descended from Minnesota's first state agency, the Railroad and Warehouse Commission.

Back when railroads were fast developing across the country, Minnesota officials recognized the need to safeguard them as vital to the public interest.

A railroad commissioner was established in 1871 and railroads were declared public highways a few years later. In 1885, the Legislature created the three-member Railroad and Warehouse Commission. Though the governor appointed the commission, the character was distinctly legislative, as evidenced by the legislators' interest in its operation.

According to a 1957 report by a group appointed to study the commission, it was viewed as a part of the legislative branch, appointed to regulate various commercial enterprises, including transportation and inspection of goods, and telephone and telegraph services.

"In much of its responsibility, a regulatory commission is an arm of the legislative branch of the government," the study report said. "Its organization depends fundamentally upon its duties assigned to it by the Legislature."

By 1957, the commission had nine divisions. The Legislature worried the structure would not allow commissioners to effectively perform duties and remain accountable to the public.

The report claimed the commission's functions were integral to transportation and marketing of commerce in the state. The group suggested that the related duties should be better organized and responsibilities more clearly defined in state law.

The report suggested reorganizing the commission into the new Public Service

Department, with two divisions – an administrative one handling enforcement and inspection and a regulatory one to prescribe rates, grant franchises, conduct investigations, and make rules.

A three-person commission would oversee the regulatory division. The report also

outlined the group's preferred method of electing commissioners.

The report suggested that allowing the governor to appoint commissioners or the public to elect them would jeopardize their ability to be "independent, im-

partial and competent, qualified to assume its delegated responsibility, and worthy of public trust."

The only way to guarantee those qualifications would be to allow election of commissioners by a joint convention of all 198 legislators. Commissioners would serve six-year, staggered terms, so a position would be up for election every two years.

"No one legislator or group of legislators can have the influence over a commissioner equal to that of an appointing governor or sponsoring political organization," said the report. "Legislative election is a kind of guaranty that those to whom legislative responsibility is delegated will be chosen for ability to perform an important complex task."

Actions in 1968 placed the commission's duties within the newly created Department of Public Service, organized much like the report recommended. In 1980, the Public Service Commission was spun off from the department and renamed the Public Utilities Commission.

The idea of a commission appointed by the Legislature never caught on. Today's Public Utilities Commission consists of five members, appointed by the governor, to six-year staggered terms. No more than three members can represent the same political party, and state statute is clear about members not being swayed by partisan interests.

(M. KIBIGER)



**The Railroad and Warehouse Commission Office
in the old State Capitol prior to 1905.**

Photo courtesy of the Minnesota Historical Society

★ CONSUMERS

Do-not-call bill passes

With the House's stamp of approval on a bill that would create a telemarketers' "do-not-call" list, it now awaits the governor's signature.

Under the plan, Minnesotans would be able to put their home phone numbers, free of charge, on a list to which telephone solicitors would have to subscribe.

A House-Senate conference committee arranged the final bill (HF2710/SF3246*), which the House and Senate passed May 9, 114-8 and 58-0, respectively.

The state Department of Commerce would maintain the list, which would have to be established by Jan. 1, 2003. Residents' names would stay on the list for four years — instead of two, as was previously in the bill — unless they chose to revoke them.

Nonprofit organizations, as well as political groups, would not have to subscribe to the list. Businesses that have a resident's permission, businesses with a prior relationship to a resident, and businesses who will follow up the phone call with a face-to-face visit are exempt from the requirement to obtain the list, according to the bill.

Four times a year, telemarketing companies would have to purchase the updated list or face a fine. The fee for obtaining the list would be \$125 for each copy. In 2004 the fee would be reduced to \$90, and thereafter it would be \$75.

General fund monies totaling \$482,000 in 2003 would be used to establish and maintain the list.

A violator of the list would be charged a civil penalty up to \$1,000 for each call.

If a national do-not-call list were established, the phone numbers on Minnesota's list would be sent to the Federal Communications Commission to be included on the national list.

The bill is sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul).

★ EDUCATION

Teaching the Pledge

The biggest difference between House and Senate versions of a bill that would require students to recite the Pledge of Allegiance appears to be a required classroom discussion about it.

The conference committee to work out the differences in the legislation (HF2598) met for



PHOTO BY TOM OLMSCHIED

Orville Otterness from the North Branch American Legion Post 85 testifies May 8 in support of Senate amendments to a bill that would require recitation of the Pledge of Allegiance during a hearing of the House-Senate conference committee resolving differences between proposals.

the first time May 8.

Both bills would allow any student or teacher who objects to reciting the pledge be excused from the exercise.

But the Senate amended the bill to require, at the beginning of the school year, a discussion about the "history and reason" for the recitation. Teachers would also have to inform students that anyone not participating should not be considered "unpatriotic."

Rep. George Cassell (R-Alexandria), sponsor of the House bill and co-chair of the committee, pointed out that there are no disclaimers for any other curriculum.

"This sends the wrong message to students," he said.

Rep. Paul Marquart (DFL-Dilworth), a teacher, agreed.

"I have a problem coming out and saying they don't have to do something, especially on the first day of school."

But some Eden Prairie High School students who have been following the legislation said they agreed with the Senate bill.

Brianna Mooty, a senior, said education on the flag is more beneficial in a discussion format.

"If we can understand why some students

aren't saying the pledge ... we would know why," she said.

No action was taken on the provision, but the committee plans to meet again to make final decisions.

The committee adopted all similar provisions. Several other parts of the bill need to be compromised.

The Senate bill would require public and charter schools to set aside time "time each week" for civics education.

Both sides agree school boards should be allowed to waive the requirement to recite the pledge, but the House conferees hold that the decision should be reviewed annually.

Lastly, the House would recommend instruction of flag etiquette to take place in fifth-grade social studies classes, and the Senate does not specify a certain grade.

House passes insurance study

The House passed a bill May 8 that would establish a 10-person labor-management committee to study a statewide health insurance plan for teachers.

Rep. Greg Davids (R-Preston), the bill's House sponsor, said the legislation is intended to help teachers who "year after year had double-digit increases in premiums." Some are paying \$8,000 in out-of-pocket costs for their family's insurance plans, he said.

"I hope we can find some answers for those whose insurance costs are eroding their salaries," said Rep. Alice Seagren (R-Bloomington). The bill (HF1868/SF1755*) passed 109-17.

The study would use \$200,000 of the tobacco endowment funds to cover expenses. Rep. Sondra Erickson (R-Princeton) proposed, then later withdrew, an amendment that would have required Education Minnesota to provide a \$100,000 matching grant to the state for the study.

"They should have a financial investment that this study is well done," said Rep. Mark Buesgens (R-Jordan).

But some felt it was unnecessary to put the cost on the state's largest education organization.

"This creates a burden on teachers that's unconscionable," said Rep. Matt Entenza (DFL-St. Paul). "We have adequate funds for this."

The study would compare purchasing full insurance coverage through a pooling arrangement, use of a multiple-employer welfare arrangement, and existing coverage

options. It would have to address the "issues of costs, coverage provided, financial feasibility and solvency, and management," according to the bill.

The Minnesota School Boards Association would appoint five members of the committee. Rep. Tony Kielkucki (R-Lester Prairie) successfully amended the bill to require one member each to represent employees of nonpublic and charter schools.

The bill was also amended to require the study to address issues involved in cost shifting in health care and health insurance markets.

A preliminary report would be submitted to the Legislature by Dec. 31, 2002, with a final report due Dec. 31, 2003.

The Senate did not concur with the House changes, so a final version may be worked out in a conference committee.

★ GOVERNMENT

Covering treasurer duties

The state treasurer would remain the state treasurer, under a bill passed 90-35 by the House May 8. However, it would still no longer be a constitutional office.

Rep. Sondra Erickson (R-Princeton), the House sponsor of the bill (SF2963), said that even though voters elected to abolish the office effective January 2003, the duties of the position still need to be performed.

The state treasurer is responsible for overseeing state funds independent of all other agencies.

The bill would create a new statutory office. The governor, with the advice and consent of the Senate, would appoint the treasurer.

Rep. Phyllis Kahn (DFL-Mpls) spoke against the bill saying that it would create an unnecessary "layer" of government and that it would go against what the voters approved. Kahn said the Senate proposal of transferring the treasurer's duties to the Department of Finance makes more sense.

Erickson said the bill would ultimately mean a "downsizing" of government because a deputy treasurer wouldn't be needed and there could be a possible future reduction in staff, as well.

Changing the position from a constitutional office to a statutory office makes the most sense and would be the most cost-effective approach, said Rep. Philip Krinkie (R-Shoreview). He said voters approved eliminating an elected position but it is still necessary for someone to "balance the checkbook of state government."

The House adopted an amendment offered by Rep. Dave Bishop (R-Rochester) that would require the Department of Finance to prepare a new state budget forecast if a special session dealing with budget issues is called prior to Dec. 1, 2002.

Bishop said lawmakers currently receive monthly updates from the department on the state budget but a forecast is necessary as a basis for decisions that would need to be made in a special session.

The Senate originally passed the bill 54-8 on March 8. It now returns there for approval of the House amendments. Sen. Ann H. Rest (DFL-New Hope) is the Senate sponsor.

Unicameral idea returns

Proving the adage that a proposal is never dead until the Legislature adjourns, a bill that would propose a constitutional amendment to have the state adopt a one-house legislature was introduced May 8.

It was referred to the House Rules and Legislative Administration Committee.

Rep. Dave Bishop (R-Rochester) made a motion on the House floor to re-refer the bill (HF3722) to the House Ways and Means Committee, which he chairs. But the bill sponsor, Rep. Ron Abrams (R-Minnetonka), said the motion was an effort to kill the measure because Bishop has been a vocal opponent to the unicameral proposal.

On March 25, the Ways and Means committee voted 17-10 against another unicameral proposal (HF2764), also sponsored by Abrams.

According to Abrams, the fiscal impact of the new bill would be around \$2,000, the amount necessary for the Office of the Secretary of State to put the constitutional amendment on the general election ballot.

Abrams said that during the March 25 hearing, the House Ways and Means Committee spent minimal time discussing the fiscal impact of the bill and the majority of the discussion was on the policy of adopting a one-house legislature. The committee's jurisdiction is on fiscal matters only.

Bishop later withdrew his motion to re-refer the bill, saying that depending on what action the rules committee takes on the bill, he could still make a motion for his committee to hear it.

A unicameral proposal in the Senate (SF2505), sponsored by Rep. Dave Kleis (R-St. Cloud), awaits a hearing by the Senate Rules and Administration Committee.

★ HEALTH

Preparing for bioterrorism

A House-Senate conference committee agreed to a compromise measure May 2 that clarifies the emergency powers of the governor and the health commissioner in the event of a bioterrorist attack.

The conference committee report to a bill (HF3031), sponsored by Rep. Richard Mulder (R-Ivanhoe) and Sen. John Hottinger (DFL-Mankato), would make a "public health emergency" a trigger of the governor's authority to declare a national security or peacetime emergency.

The bill now returns to both the House and Senate for final approval.

Under the bill passed by the House on March 22, the trigger was more narrowly defined as a "bioterrorism incident."

According to the conference committee report, a "public health emergency" would include bioterrorism, a natural disaster, a chemical attack, or a nuclear attack.

House and Senate conferees spent hours fine-tuning the bill, struggling over language that would empower state officials to prepare for a potential doomsday scenario.

Under the measure agreed upon by conferees, the governor's authority to declare a national security or peacetime emergency outlined in state law would be restricted in a number of ways. For example, before making a declaration due to a "public health emergency," the governor would be required to consult with the commissioners of health and public safety and the state director of homeland security. In addition, the Legislature would have the authority to terminate an emergency declaration by the governor with a majority vote of each body.

The bill, known as the emergency health powers act, would also place checks on the health commissioner's powers to respond to a public health emergency. State law already allows the commissioner to isolate or quarantine people to curb the spread of disease.

Under the bill, the Minnesota Department of Health would be required to obtain a court order to isolate or quarantine members of the public.

The Health Department would be allowed to go ahead with plans to separate those infected or believed to be exposed if the delay would "significantly jeopardize" the commissioner's ability to prevent the spread of the disease. However, the department would be required to obtain the court order to continue within 48 hours of the initial action.

These due process provisions were included in the bill passed by the House in March but

were absent from the initial Senate companion measure.

A number of other issues debated this session got rolled into a study that the Health Department would be required to complete. A report would be due to the Legislature by Jan. 15, 2003.

The topics include protecting healthcare providers from liability and the use of antibiotics in livestock and poultry that are critical to human health.

If the bill becomes law it would sunset Aug. 1, 2004.

Drug administration

**Signed
by
the
governor
★ ★ ★**

The state's emergency medical groups will be required to develop a plan by Sept. 1, 2002 to equip all Minnesota ambulances with epinephrine, under a new law signed by the governor

May 8.

The stimulant is used to treat life-threatening allergic reactions.

While nearly all ambulances in the Twin Cities metropolitan area already carry epinephrine, about 40 percent of ambulances in Greater Minnesota go on runs without the drug.

The House passed the bill 120-0 on May 1. It cleared the Senate the next day by a 58-0 vote. Rep. Jim Abeler (R-Anoka) and Sen. Deanna Wiener (DFL-Eagan) were the bill sponsors.

At a hearing before a House-Senate conference committee, doctors and parents of children with potentially fatal food allergies called for a law mandating that all ambulances be stocked with the stimulant.

The Minnesota Ambulance Association, however, expressed concern about establishing a mandate in state law requiring ambulances to carry the drug.

O.J. Doyle, a lobbyist for the association, said ambulance providers preferred to establish a statewide plan on their own.

The section of the law related to epinephrine is effective May 9, 2002.

Under the new law, registered nurses will also be allowed to administer prescription drugs and vaccines to patients that display symptoms consistent with conditions outlined in a protocol. That section is effective July 1, 2002.

HF3359*/SF3005/CH362

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A new law will permit out-of-state physicians to practice telemedicine in Minnesota, provided they meet a number of licensure requirements in their home state.

Gov. Jesse Ventura signed the measure into law May 8.

The House voted 126-0 to pass an amended bill April 25. The Senate voted 58-0 to re-pass the bill May 2.

Rep. Richard Mulder (R-Ivanhoe) and Sen. Steve Kelley (DFL-Hopkins) were the bill sponsors.

Telemedicine is defined in the law as the "practice of medicine when the physician is not in the physical presence of the patient."

On the House floor, Mulder said the legislation will target physicians who prescribe medication over the Internet.

"This is a 12-year-old issue," he said, drumming up support for the measure. "It's time to get this on the books."

The physician will be required to register with the Minnesota Board of Medical Practice and pay a \$75 annual fee and a \$100 application fee.

HISTORIC READING



PHOTO BY TOM OLMSCHEID

Elizabeth Karel, a Capitol historical site guide, reads May 7 as she awaits the next guided tour group during Minnesota Statehood Week. At her location in the Capitol, groups hear how Minnesota's boundaries were drawn before it became a state on May 11, 1858.

Doctors will be obligated to meet a number of other standards outlined in the law, including having a license to practice medicine without restriction in their home state.

They will also be barred from opening an office in this state to meet with or receive calls from patients.

Exemptions from the registration requirements will apply to physicians responding to an emergency medical condition, those who offer services on an infrequent basis, and doctors who consult with Minnesota physicians that maintain authority over a patient's diagnosis and care.

The new law is effective Aug. 1, 2002.

HF3346/SF3026*/CH361

★ HUMAN SERVICES

Full reference disclosure

Employers who disclose information during a reference check about a current or former worker at a licensed facility for children would be protected from liability, under a bill passed by the House May 8.

The 118-9 vote occurred after the adoption of an amendment that would require school districts or charter schools to disclose information relating to "any act of violence or inappropriate sexual contact with a student" to other schools requesting information about a prospective employee.

The bill now goes to the Senate.

Rep. Jim Abeler (R-Anoka), sponsor of the bill (HF3092), said the measure would codify common law. Sen. John Hottinger (DFL-Mankato) is the sponsor of a companion measure (SF3085) in the Senate.

Abeler said many providers have refrained from providing references beyond disclosing dates of employment for fear of breaking the law.

"This bill is intended to provide additional security for our state's most vulnerable people," he said.

The bill would permit providers to disclose the employee's compensation, job description, duties, and training and education provided by the employer.

Additionally, providers would be allowed to reveal information about behavior that resulted in disciplinary action or resignation, including acts of violence, theft, harassment, and other illegal conduct.

With the employee's consent, the provider would also be allowed to provide prospective employers with written job evaluations and disciplinary warnings and actions along with the employee's response.

★ LOCAL GOVERNMENT

Parking limitations lifted

Signed
by
the
governor
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Visitors needing to complete business at Hennepin County offices located in Minneapolis might have more parking options, under a new law signed May 3 by Gov. Jesse Ventura.

Effective Aug. 1, 2002, the new law allows the county to acquire and improve off-street parking facilities that serve public buildings, used for county purposes and under the jurisdiction of the county board.

Originally passed in 1969, the existing law limits the county to ownership of one off-street parking facility within the city of Minneapolis.

Rep. Ron Abrams (R-Minnetonka), the House sponsor, said the restriction on the county is the only one like it in the state. He said the law will allow the county to potentially provide more parking closer to the Hennepin County Medical Center.

The law will also remove a five-year limit currently in place for county-lease contracts of real property.

The new law passed the House on April 25 126-0 and the Senate 56-0 on April 29.

Sen. Ann H. Rest (DFL-New Hope) was the Senate sponsor.

HF2906/SF2568*/CH359

★ RECREATION

Boundary changes pass

A bill adjusting a number of state park boundaries is on its way to the governor's desk.

The House voted to pass the bill (HF3025/SF2727*), sponsored by Rep. Doug Peterson (DFL-Madison) and Sen. Don Samuelson (DFL-Brainerd), on a vote of 104-17 May 9 after adopting a conference committee report.

The Senate passed the measure 58-0 earlier in the day.

The bill calls for multi-use, dual-treadway trails on the Casey Jones Trail near Pipestone in southwestern Minnesota and the Cuyuna Lakes Trail in Crow Wing and Aitkin counties in northern Minnesota.

A number of state trails and parks gain acreage under the bill, including Crow Wing State Park near Brainerd, Myre-Big Island State Park near Albert Lea, and Big Bog State Recreation Area in Beltrami County in north-central Minnesota.

The Richard J. Dorer Memorial Hardwood State Forest in southeastern Minnesota and

the Pillsbury State Forest near Brainerd would also gain land.

The Cuyuna Country State Recreation Area under development about 15 miles northeast of Brainerd would both lose and gain acreage.

A number of counties would also be permitted to sell surplus, tax-forfeited, or trust lands, under the bill.

★ SAFETY

Motorcycles, license renewals

The House approved a conference committee report May 8 that would make a number of changes to public safety laws. The vote was 119-2.

Included in the bill (HF3203) are provisions that would allow motorcycles to legally drive through red lights, and the creation of special license plates for veterans.

An earlier Senate amendment that would have kept the Governor's Residence open was not included in the final conference committee report.

Gov. Jesse Ventura closed the Summit Avenue mansion after legislators trimmed \$175,000 from his security detail.

The bill includes a proposal heard in committee as HF3226, sponsored by Rep. Tom Workman (R-Chanhassen). It would allow motorcyclists to go through red lights when their motorcycles aren't detected by the

stoplight. An amendment that would have given bicyclists the same freedom was not included.

Another provision would clear the way for online driver's license renewals by allowing the Department of Public Safety to adopt rules related to how it administers eye exams when people apply to renew a license.

An exception to a requirement that airports match any federal funds was also included. The one-time exception would let airports receive federal aid as part of the federal anti-terrorism package passed in the fall of 2001 without having to kick in local funds.

Rep. William Kuisle (R-Rochester) and Sen. Steve Murphy (DFL-Red Wing) are sponsors of the measure, which has yet to be approved by the full Senate.

★ TRANSPORTATION

Policy provisions signed

Signed
by
the
governor
★ ★ ★

Although a transportation funding bill has yet to pass, transportation policy changes were signed into law by Gov. Jesse Ventura on May 9.

Among the law's many provisions is an exception to the moratorium on state consultant contracts.

Rep. William Kuisle (R-Rochester), the House sponsor, said the law will allow the Minnesota Department of Transportation

WELFARE BENEFITS



PHOTO BY TOM OLMSCHIED

Jawan Wells, 3, enjoys a treat outside the House Chamber May 7 as his grandmother, Jeanette Jones, and members of the Welfare Rights Committee hold their countdown signs and distribute literature to House members asking for an extension of public assistance benefits. Human services officials estimate about 3,300 families will reach the 60-month limit for welfare benefits during fiscal year 2003, which begins July 1 of this year.

(MnDOT) to continue road construction projects that will be paid for by general fund dollars appropriated by the 2000 Legislature.

The Senate voted 51-6 on May 2 to approve a conference committee report, and the House followed suit on May 6 with a 98-29 vote.

Also included in the law are provisions to allow MnDOT to purchase land for future highway projects, allow advance funding for certain highway construction projects, encourage the use of agricultural-based dedicating solution for state roads, and keep the Stillwater bridge project alive.

A provision also recognizes an agreement reached between the Minnehaha Creek Watershed District and MnDOT concerning Camp Coldwater Springs near Fort Snelling. A law passed in 2001 to protect the spring halted construction at the intersection of Highways 55 and 62. The agreement will allow construction to resume without affecting the spring's flow.

Several school bus provisions are also part of the new law. One will prohibit buses from parking near air-intake systems of schools to prevent students from breathing diesel fumes. Another will allow the state's public safety commissioner to cancel the endorsement of school bus drivers who have been convicted of a gross misde-

meanor or a series of violations that show the person is a risk to public safety.

Previous law denied a school bus endorsement to those who have been convicted of a gross misdemeanor within the past five years, as well as those who have been convicted of a felony, drug and alcohol violations, or invasion of privacy.

Among provisions that were cut from the conference committee report was one that would have prohibited the Metropolitan Council from spending money on the study or design of the Dan Patch commuter rail project.

Although House conferees approved of killing the project, Senate conferees wanted to keep it alive, Kuisle said. Opponents of the commuter rail line, which would connect Northfield and Minneapolis, said studies have shown the project to be economically unfeasible.

Also scrapped was a House proposal to prevent the city of Minneapolis from enforcing zoning ordinances that would force the closing of commercial or industrial activities along the upper harbor of the Mississippi River.

Changes in the law, also sponsored by Sen. Dean Johnson (DFL-Willmar), take effect Aug. 1, 2002.

HF3199/SF3298*/CH364

FEN FUND REQUEST



PHOTO BY ANDREW VON BANK

Chanhassen Mayor Linda Jansen testifies May 8 before the House capital investment working group to request funds for the protection of Seminary Fen/Assumption Creek trout stream.



Better late than never

Massachusetts law clears names of 'witches'

It was literally a witch-hunt that resulted in the execution of 20 people.

When two young Massachusetts girls began to behave strangely by screaming deliriously and falling into trance-like states resulting in uncontrollable seizures, local officials, lacking any other rational explanation, determined Satan had possessed the girls.

Hysteria ensued when more local girls began displaying similar symptoms. The ensuing Salem Witch Trials remain one of the more bizarre episodes in American history.

Last year the Massachusetts Legislature officially cleared the names of five of the accused witches.

It took more than 300 years for Susannah

Martin to have her name cleared of the charges that resulted in her hanging.

In 1692, Martin and 19 others were found guilty of performing witchcraft. Two school-girls had accused Martin of "sicking" phantom puppies on them and walking in the rain without getting wet.

"I may (laugh) at such folly," Martin said at her trial. "I have no hand in witchcraft."

Months after her hanging the jurors issued a public apology that expressed remorse. "We justly fear we were sadly deluded and mistaken for which we are much disquieted and distressed," the apology read.

In 1711 all of the accused were exonerated but some of the families did not

accept the apologies offered.

A 1957 legislative resolution exonerated "one Ann Pudeator and certain other persons." Over the following years relatives of Martin and the others accused pushed for their ancestors' names to be recognized in law.

The 2001 law specifically states that Martin and four others were indeed innocent of the charges.

Rep. Paul Tirone (D-Amesbury) sponsored the 2001 law on behalf of a constituent. The bill that was signed into law by Gov. Jane Swift on Halloween also exonerates Bridget Bishop, Alice Parker, Margaret Scott, and Wilmot Redd.

(D. MAEDA)

In the black, for now

Extra unemployment benefits would deplete reserves, requiring temporary tax increase and possibly federal loan

BY THERESA STAHL

Deciding who gets what amount of extra unemployment benefits will likely be the last battle before wrapping up the economic development omnibus bill (HF3648/SF3431*).

House and Senate conferees are slowly compromising on other provisions, seemingly saving the largest for last.

So far both sides are sticking to their guns. The Senate wants to grant extra unemployment benefits to all workers laid off since September 2001. The House would only grant extra benefits to the unemployed living outside the Twin Cities metropolitan area.

But whatever benefits are granted, the money would come from the unemployment fund, which is where unemployment insurance taxes paid by employers are deposited for disbursement. And officials expect the fund to be depleted by the end of the year.

Lawmakers are committed to making sure no individual employers are penalized with higher rates to pay for the one-time extra benefits they are debating. And in order to replenish the unemployment fund, a temporary base tax increase to employers may be necessary.

In testimony before the conference commit-

tee, officials expressed concern for the overall health of the unemployment fund.

Lee Helgen, executive director of the Minnesota Workforce Council Association, said the Legislature should examine "the need for the next fiscal year and the need for the long-term future of the fund."

Economic constraints, employment options

In the Senate and House proposals, extra benefits would not be an additional tax on employers that have resorted to laying off workers. In this case, the state has recognized that the bad state of the economy is essentially no fault of any employer.

Rep. Dan McElroy (R-Burnsville), co-chair of the conference committee, has maintained that people living in the Twin Cities have a much better chance finding a job than someone from Greater Minnesota because the unemployment rate is lower.

"Unemployment benefits are to maintain stable communities, and in the Twin Cities we don't have to worry about that as much," he said at an April 16 meeting.

Sen. Ellen Anderson (DFL-St. Paul), also a co-chair, said the state will lose skilled workers if unemployment benefits are cut and that the House plan is not fair.

"It's arbitrary to say that some workers in one county may get benefits and some in others don't," she said.

Many who were laid off last fall are back to work, either rehired by their former company or working for a new one. Rebecca Yanisch, commissioner of the Department of Trade and Economic Development, told the conference committee

that manufacturers believe the state is past the recession, and 80 percent of Minnesota companies have said they aren't going to cut more employees.

Yanisch said investment in the workforce has paid off economically. She was referring to the state's dislocated worker programs, which help people who have been dislocated from a long-held job due to no fault of their own. The programs aim to upgrade current job skills, retrain workers whose skills are not marketable, and provide support services, according to the department.

Though many companies have laid off workers, committee discussion has revolved around Farmland Foods Company, whose Albert Lea plant burned down in July 2001; Fingerhut Corporation, Inc., which has laid off 2,400 employees so far — most of them residents of the St. Cloud area; and airline workers and employees of related industries, the majority of which live in the Twin Cities metropolitan area.

The final decision on unemployment benefits is crucial, McElroy has said, because it sets a precedent for future layoffs and recessions.

As a result, any extra benefits extended to metropolitan area workers would likely carry an extra tax for those specific employers with it. For example, current House proposals to extend benefits to airline workers, primarily mechanics because of their specialized skills, would require their employers to pay a higher tax temporarily. Such a measure would largely affect Northwest Airlines.

However, Anderson is concerned that by not granting extra benefits, without regard to where someone lives, the state sends a message that it doesn't want to keep its skilled workers.

Replenishing the fund

According to the Department of Economic Security, unemployment insurance claims in calendar year 2001 were up 50 percent over the previous year. Conversely, the unemployment fund has been cut nearly in half since January 2001.

In previous economic ebbs and flows, a mild recession in the early 1990s caused the state's unemployment fund to drop to \$127 million, when in previous years it had been fairly consistent around \$400 million. The fund hit a high of \$749 million in November 2000 when unemployment rates were extremely low, then an economic decline pushed the fund down

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PHOTO ILLUSTRATION BY ANDREW VON BANK

Claims for unemployment insurance have increased by 50 percent since January 2001, rapidly depleting the unemployment fund. Lawmakers are debating whether to extend benefits to certain laid off workers.

A quiet dilemma

State could lose millions of dollars, or tax forms could get longer, due to new federal tax changes

By DAVID MAEDA

As if grappling with a \$439 million deficit wasn't difficult enough, a federal law change could result in either millions less in state tax revenue over the next few years or headaches for some Minnesota taxpayers, unless the Legislature takes action.

A provision of President Bush's economic stimulus package, the "Job Creation and Worker Assistance Act of 2002," allows individuals and businesses a temporary additional depreciation deduction.

For the most part, Minnesota, like many other states, bases its income tax calculations on federal definitions of income. Therefore, unless the state conforms to the federal changes, calculating state taxes would have to be done separate from federal definitions. If the state fully conforms with the depreciation changes, the Department of Revenue estimates that it would cost \$103.8 million in 2002 and \$129.7 million in 2003.

indeed for almost all states with income taxes," Smith wrote. "Conforming Minnesota's tax laws to the federal provisions would maintain simplicity of tax calculation and filing requirements for business and individual taxpayers, but at the cost of significant tax revenue loss to the state as federal benefits are passed through to the state return."

A House offer made in the conference committee April 12 included the department's recommendation to conform the state tax laws with most of the changes in the federal law except for the additional depreciation allowance. Abrams said the partial conformity would cost around \$6.7 million this biennium but the state would actually gain \$1.1 million in 2004-2005.

Depreciation deductions are allowed so that taxpayers may recover the cost of certain property used for business purposes. The federal change allows businesses to deduct an additional 30 percent in the first year. The provision

"Conforming Minnesota's tax laws to the federal provisions would maintain simplicity of tax calculation and filing requirements for business and individual taxpayers, but at the cost of significant tax revenue loss to the state as federal benefits are passed through to the state return."

— Department of Revenue Commissioner Matt Smith

"If Minnesota does nothing, we will add 16 additional lines to various forms," Rep. Ron Abrams (R-Minnetonka) told the House-Senate budget conference committee April 12. He added that had the federal government handled the change as an investment tax credit the state would not be facing the dilemma.

In March, Department of Revenue Commissioner Matt Smith sent the two tax committee chairs in the House and Senate, Abrams and Sen. Lawrence Pogemiller (DFL-Mpls) respectively, a letter outlining the department's recommendations to address the issue.

"The new federal law poses a difficult problem for Minnesota's tax and budget policy, as

applies from Sept. 11, 2001 until Sept. 11, 2004.

There are stipulations on the type of property that qualifies. For example, the asset life of the property must be 20 years or less.

How would it work? A company purchases qualified property for \$100,000. The business would be allowed an additional first year deduction of \$30,000. The remaining \$70,000 would be deducted over the following years using the traditional depreciation formulas.

Using traditional accounting practices like a 150 percent declining balance formula, the business might deduct 10 percent the first year, 20 percent the second year, and 12 percent the remaining years.

Jenny Engh, an assistant commissioner of the Department of Revenue, said if the Legislature does not at least adopt the new federal income definitions, the state's tax instructions and filings would become extremely complicated.

In addition to the number of lines that would need to be added to income tax forms, Engh said seven new worksheets would have to be created to assist taxpayers with their calculations.

Though the depreciation tax adjustments only affect about 20,000 corporations and 125,000 individual business filers, the department would have to create the new forms for all taxpayers, which officials say is impractical.

Because the federal law is retroactive to last September, the department advised affected taxpayers to either file for an extension on their 2001 taxes or file them and then amend their returns to take into account what action, if any, the Legislature takes. Engh said there has been much confusion about the changes but no noticeable increase in the number of extensions filed.


She said the state faced a similar situation nearly 20 years ago when the federal government implemented the modified accelerated cost recovery system, and that the state was still dealing with conformity issues up until last year.

Minnesota is not alone in facing the impact of the federal changes. The Center on Budget and Policy Priorities, a nonpartisan research organization based in Washington D.C., estimates state revenues will be reduced by around \$4.8 billion in the current year if all states conform to the federal law.

Although the depreciation provision of the federal law would have the biggest fiscal impact on the state, there are many other provisions to the federal act.

It allows a \$250 deduction for teacher expenses for purchases of materials used in the classroom. Also, employers, with employee consent, can furnish employees with their W-2's in an electronic format instead of a paper copy.

There are also several time extensions to current tax credits and deductions that were scheduled to expire.

One such extension is a credit for the purchase of electric-powered motor vehicles. A 10 percent credit, up to \$4,000, is allowed for people who purchase vehicles that are primarily powered by an electric motor. The credit was due to expire in 2004 but it now can be claimed until 2006. 

Iron Range advocate

Bakk hopes to continue his efforts for residents of northeast Minnesota in the Senate

By SARAH MCKENZIE

Rep. Tom Bakk (DFL-Cook), who is stepping down to run for the Minnesota Senate, points to newly renovated schools in the state's northeastern corner as the hallmark of his work in the House.

Along with Sen. Doug Johnson (DFL-Tower), Bakk worked to secure public dollars for schools in Lake and Cook counties. Cook County, in particular, has a small tax base to draw from to fund school improvements.

In the state's far northeastern corner, the county is sparsely populated with 5,000 residents. About 90 percent of the land is publicly owned.

champion of his constituents.

"His objectives and his interests are not as much as the party line as with the people he represents," Conboy said.

Bakk, 47, has decided to run for the Senate at a time when the political landscape of northeastern Minnesota faces great change.

The region has lost long-time lawmakers with the deaths of Sen. Sam Solon (DFL-Duluth), who was first elected to the Legislature as a representative in 1970, and Rep. Willard Munger (DFL-Duluth), who joined the House in 1954.

Johnson, whom Bakk considers a mentor, will retire from the Senate after more than 30

years at the Capitol. Johnson was Bakk's high school guidance counselor, as well.

Bakk called Johnson a "brilliant strategist" who knows how to get things done.

The two lawmakers worked together to secure extended unemployment benefits for workers laid off on the Iron Range last year.

The 2001 Legislature passed a law granting 26 weeks of extra unemployment benefits to miners after the LTV Steel Mining Company filed bank-

ruptcy and closed its Hoyt Lakes plant.

Rep. Greg Davids (R-Preston), chair of the House Commerce, Jobs, and Economic Development Policy Committee, credits Bakk with teaching him a lot about northeastern Minnesota, and the Iron Range in particular.

He toured the region with Bakk and other lawmakers last session.

"Tom is a very solid legislator who always knows where he's headed," Davids said. "He's been a tireless advocate for the Range. The House will be so different next year. We're going to lose some really good people — I'd put Tom in that category. He's a classy person."

Besides serving on the House Commerce, Jobs, and Economic Development Policy Committee this session, Bakk served on the House Environment and Natural Resources Finance and Policy committees.

Bakk has worked to expand sewer projects in his district to replace individual sewage treatment systems that have threatened ground water quality.

Rep. Dennis Ozment (R-Rosemount), chair of the House Environment and Natural Resources Policy Committee, said Bakk has "incredible firsthand knowledge on hunting, fishing, and trapping issues, as well as ATV and snowmobile use."

"He has been a strong advocate for the northeastern part of the state, supporting trail and park development and forestry management," Ozment said.

Bakk has also been a proponent of increased local control of the Boundary Waters Canoe Area (BWCA) and Voyageurs National Park — areas managed by the federal government.

During his first year in office in 1995, Bakk carried legislation that asserts Minnesota's rights to the surface waters and lakebeds inside the BWCA and Voyageurs National Park.

The law instructs the governor and other constitutional officers to "vigorously assert and defend" the state's ownership of the waters.

Rep. Irv Anderson (DFL-Int'l Falls), who was speaker of the House at the time, encouraged Bakk to sponsor the bill.

Anderson said Bakk did a good job shepherding the legislation, and he echoed other House members in calling him a supporter of the environment and outdoor recreation.

In turn, Bakk said Anderson has been an influential teacher, showing him that legislators can accomplish a lot by empowering other people to take action.


"That's how you lead — to plant ideas in the minds of other people," Bakk said. 



PHOTO BY TOM OLMSCHIED

Rep. Tom Bakk will leave the House to run for a seat in the Minnesota Senate vacated by Sen. Doug Johnson, who will retire after this term.

With a \$6 million public contribution toward a \$10 million project, Cook County High School in Grand Marais was completely overhauled. It has upgraded classrooms, a new gym, and a community theater.

"I feel very strongly that no matter where you live in the state you should be able to have the same kinds of opportunities for a quality education," said Bakk, who works as a building trades labor representative.

Doug Conboy, Cook County High School principal, said he doubts the renovation would have happened without the work of the region's lawmakers. He said Bakk has been a

STEPPING DOWN

Rep. Tom Bakk

DFL

District 6A — Cook

Terms: 4

Career notes: Bakk, who serves on several House committees and the Iron Range Resources and Rehabilitation Board, has sponsored legislation that extended unemployment benefits to laid off LTV miners and appropriated money for schools in northeast Minnesota.

Aiming higher

After four years in House, Gray says he can't pass up the opportunity to run for state auditor

By DAVID MAEDA

Rep. Gregory Gray's (DFL-Mpls) tenure with the House didn't exactly go as planned.

"I knew at some point I would want to move on and do some other things, but in my mind I kind of figured three terms," he said. "The first term you probably are not going to get a lot done. The second term you kind of learn the ropes and you're making progress. The third term you can really cash in and do some important things."

Gray received the DFL endorsement for state auditor May 5. As a result, a third House term will have to wait. He said the decision to run for the office came after he discussed the position with the current auditor, Judi Dutcher.

"I felt it was an opportunity for me to continue public service on a broader scale, a full-time scale, and that it was too good an opportunity to pass up with the skill set I have," he said.

Gray holds a law degree from Hamline University and spent 10 years in the private sector auditing corporations, including Pillsbury, Land O' Lakes, Dayton Hudson, and Marquette Banks.

Recalling his first election to the House, Gray said K-12 education was a top priority in his north Minneapolis district. But being a new member meant he didn't have the seniority to be appointed to the House K-12 Education Finance Committee. Instead he served on the House Education Policy and Family and Early Childhood Education Finance committees.

"As it turns out, I'm glad fate put me on early childhood because I had a great time. It's a neglected area that has so much potential. The one message I would leave my colleagues is to give a much higher priority to early childhood education. We have an opportunity to intervene in kids' educational life in a positive way and save millions and billions of dollars."

Gray said it's been a struggle just to preserve funding for early childhood programs let alone expand them.

"In many people's minds, early childhood

education is still the province of mom and dad," he said. "Mom and dad should raise kids until they go to kindergarten. I would never try and suggest that mom and dad are not the pivotal players, but we have moms and dads all over the state saying they need help."

Being one of two African-American House members, Gray predicts the diversity in the Legislature will soon grow, and there will be three times as many minority members six years from now, which will lead to a better process.



PHOTO BY TOM OLMSCHIED

Rep. Gregory Gray will leave the House after two terms to run for state auditor.

"We can't come up with good laws unless we understand what the people of Minnesota want. And we can't understand what the people of Minnesota want unless we have a diverse group who are involved in putting those laws together," he said.

Rep. Carlos Mariani (DFL-St. Paul) said that coming from a "humble" background and a single parent household has made Gray a passionate lawmaker and a "very eloquent" advocate, particularly for children's issues.

Mariani, who is Hispanic, said that because there are only three members of color serving in the House, that he, Gray, and Rep. Neva Walker (DFL-Mpls) have developed a special camaraderie.

"I've been here for 12 years and I don't necessarily come here looking to make a long

lasting friendship," Mariani said. "But I made a long lasting friend."

He said when Gray first arrived Gray had his "eyes opened" by the disconnect between "what gets talked about here and what gets talked about in the community."

Gray said his biggest disappointment was the failure to pass a bill last session that would have required a study of racial profiling in the state and mandatory data collection.

"It's rare you find any community united, but across economic lines, African-Americans, Latinos, and others were solidly saying racial profiling is a problem, and collecting the data is the minimum thing we'd like you to do," Gray said. "And the door was slammed in our face."

Gray said he expects the issue will be back in the near future because it still has a significant impact on the people of Minnesota.

Rep. Harry Mares (R-White Bear Lake), chair of the House Education Policy Committee, praised Gray's contributions to the committee and to the Legislature as a whole.

"He is honest and he is truthful and he is a person of his word," Mares said. "He is a very good legislator. He supports his positions with facts and information. Although I understand his decision to move on it would have been great if he remained in the Legislature. He will be sorely missed."

STEPPING DOWN

Rep. Gregory Gray
DFL
District 58B — Minneapolis
Terms: 2

Career notes: Gray has been an advocate for increased early childhood education funding and was a leading proponent to study racial profiling and mandate data collection related to the practice in the state.

Beam it up

Technology may allow Minnesota, other states to eliminate the gas tax altogether as a method for funding transportation

By LISA HILTON

While Minnesota lawmakers debate whether to increase the state's gas tax, others imagine a world without any such taxes.

A group of researchers, led by some at the University of Minnesota, are studying a way to eliminate the tax and replace it with a tax on miles driven.

The system would use a global positioning satellite (GPS) to track the number of miles traveled by a vehicle. Drivers would upload data to a billing facility, which would mail bills to drivers.

Fourteen states, including Minnesota, and the Federal Highway Administration are sponsoring the study. Results are expected within one year.

Although the system is likely years away from being implemented in the United States, some countries in Europe are proving the idea isn't so far fetched. Switzerland has used a satellite taxing system since January 2001 for 60,000 trucks weighing more than 3.5 tons. Officials expect to collect about \$850 million a year in tax revenue from the system.

Adeel Lari, director of the Minnesota Department of Transportation's (MnDOT) Office of Research Services, says the system would assure a revenue source for transportation, since the gas tax is becoming less effective in supporting transportation costs.

Since the tax went into effect in the 1920s, the cost and complexity of road construction has increased while the fuel efficiency of cars has also grown.

For example, in 1970 the average car got 13.5 miles per gallon. In 1986, the federal government increased fuel efficiency standards so a manufacturer's passenger cars must average 27.5 miles per gallon and 21 miles per gallon for light trucks and SUVs.

As the country turns to vehicles that are more fuel efficient or run on alternative fuels, such as electricity or hydrogen, there is less dependence on gas and less money from gas taxes, Lari said.

The system is designed to be revenue

neutral, since the current 18-cent federal gas tax and 20-cent state gas tax would be cut, as would other vehicle-related fees.

Costs of global positioning satellite units are also falling and several car manufacturers plan to make the devices standard in future new cars, Lari said.

Researchers are looking into whether the state or drivers would be responsible for installing the satellite system.

In Switzerland, the country buys the equipment, which costs about \$750, and truckers

incentive for people to buy fuel efficient vehicles, but states would be able to create different price structures depending on the efficiency of a vehicle, Lari said.

The system would also allow trucks to be automatically weighed and would allow states to charge more for them than other vehicles, since trucks are responsible for more road wear.

Privacy groups have bashed the plan, calling it an Orwellian invasion of privacy, and questioning the possibility for abuse.

Lari disagreed, saying, "Privacy shouldn't be an issue." The system's computer would receive data from the satellite, which would then be stored by the vehicle, not the government, he explained. Drivers would even be able to review data before uploading it to the billing center.

Although the plan faces some technological challenges, the biggest challenge may be convincing drivers it's a good idea.



PHOTO ILLUSTRATION BY TOM OLMSCHIED

Developing technologies, such as global positioning satellite systems, might provide policy makers with transportation funding alternatives to the gas tax.

spend about \$300 to install it.

One advantage of the system is its flexibility, Lari said.

States could charge drivers according to how much damage a vehicle does to the road. And since the state would receive data about whether cars are on a state, county, or city road, states would be better able to monitor the flow of traffic.

Since the system could also impose higher rates for those driving during rush hour, it could relieve congestion by encouraging commuters to drive during off-peak times, officials say.

Changing the tax system might reduce the

Alternatives to the gas tax have traditionally not been popular among Minnesotans.

The 1993 Legislature voted to allow toll roads and bridges in the state, but so far, none have been built. Four years ago, MnDOT considered five toll road projects, including one on U.S. Highway 212 through Eden Prairie, but the city vetoed the project.

In 1997 the state considered a plan that would have charged single drivers to use the carpool lane during periods of heavy congestion, but public opposition killed that plan.

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Reconciling differences

May 20 deadline approaches, leaving legislators with a number of issues to resolve

With less than two weeks left before the constitutional deadline, most of the remaining debate in the House of Representatives is occurring in House-Senate conference committees, though each body is debating other individual issues. Nearly all of the outstanding issues await action in conference committee and re-passage by both the House and the Senate.

Below is a selected listing of selected outstanding issues and their status, as of May 8.

Bonding

The House omnibus bonding bill (HF3618), sponsored by Rep. Jim Knoblach (R-St. Cloud), contains \$839.1 million in bonding for 2002, \$741 million of which is general obligation bonding. The Senate version (SF3203), sponsored by Sen. Keith Langseth (DFL-Glyndon), includes \$1.2 billion in bonding.

Members of the conference committee on the bill have not officially met since late March. House conferees have taken public testimony on several occasions since April 30.

Budget

Economic forecasts for Minnesota have estimated that the state will have a \$2.3 billion deficit at the end of fiscal year 2003, which begins July 1, 2002. The Legislature passed one law (HF351*/SF264/CH220), by overriding Gov. Jesse Ventura's veto, that provides \$1.9 billion in spending cuts for the 2002-03 biennium.

Another bill (HF3270), sponsored by Rep. Kevin Goodno (R-Moorhead) and Sen. Doug Johnson (DFL-Tower), would provide the remaining \$440 million in necessary budget adjustments. It is being discussed in a conference committee, which has not officially scheduled a joint meeting since April 15. House and Senate delegations have exchanged offers, but no final decisions have been made.

In addition to budget cuts, primarily in the areas of health and human services, the bill includes a number of contested provisions, such as a Senate provision to increase both corporate and cigarette taxes and a House provision to use \$325 million in tobacco endowment funds.

In addition, members are discussing further extensions to benefits for families approaching the 60-month time limit for welfare benefits through the Minnesota Family Investment Program (MFIP). The Department of Human Services now estimates that 3,300 families will reach the limit during fiscal year 2003.

Recreation (Stadium)

Conferees debating the differences between House and Senate stadium plans have only met publicly a few times and not at all since early April. Both bills focus on providing financing for a new Minnesota Twins ballpark, however, they vary in their method.

The House bill (HF2214), sponsored by Rep. Harry Mares (R-White Bear Lake), would incorporate a proposal put forward by the Ventura administration that would use state-issued revenue bonds and a gift fund established through contributions from the team and other private sources. Sen. Dean Johnson (DFL-Willmar) is the Senate sponsor.

Safety

Two plans in response to the Sept. 11 attacks are moving through the legislative process.

The first deals with the governor's powers to declare health emergencies in the event of an attack of bioterrorism. House and Senate conferees on the bill (HF3031), sponsored by Rep. Richard Mulder (R-Ivanhoe) and Sen. John Hottinger (DFL-Mankato), have reached an agreement and the bill now returns to both the House and Senate for final approval.

The second bill (HF2622), sponsored by Rep. Rich Stanek (R-Maple Grove) and Sen. Jane Ranum (DFL-Mpls), provides \$22 million for anti-terrorism initiatives. The House plan would take money from the state's tobacco settlement to fund the initiatives, but the Senate plan would fund them by a 25-cent increase in the telephone surcharge for 911 services.

Transportation

House and Senate transportation funding and bonding proposals still remain unresolved.

The House plan (HF3364), sponsored by Rep. Bill Kuisle (R-Rochester), would allow the state to borrow \$750 million in trunk highway bonds from 2003 to 2008 for highway improvements. The Senate plan (SF2812), sponsored by Sen. Dean Johnson, would increase the gas tax from 20 to 26 cents per gallon. The additional revenue would pay for about \$5 billion in bonding for projects during a 10-year period.

House and Senate conferees met publicly several times between April 3 and April 17, but they have not resolved differences between the two plans.

Other unresolved issues, by topic

Business

- HF2989/SF3024*, sponsored by Rep. Bill Haas (R-Champlin) and Sen. Linda Scheid (DFL-Brooklyn Park), deals with a number of Department of Commerce initiatives, including a provision that would increase the maximum out-of-pocket expenses for those enrolled in health maintenance organizations. The bill awaits resolution in a conference committee.

Consumers

- HF3625/SF2908*, sponsored by House Majority Leader Tim Pawlenty (R-Eagan) and Sen. Steve Kelley (DFL-Hopkins), would require that unsolicited e-mail be marked as an advertisement in the subject line and would prohibit Internet service providers from disclosing consumer information under certain circumstances. The bill awaits action in conference committee.
- HF2710/SF3246*, sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul), would require the state to develop a do-not-call list for telephone solicitation and would require telemarketing firms to obtain copies of the list at their cost.

Education

- HF2598, sponsored by Rep. George Cassell (R-Alexandria) and Sen. Mady Reiter (R-Shoreview), would require students in public schools to recite the Pledge of Allegiance at least once per week. It awaits action by a conference committee.

Elections

- HF3379/SF3384*, sponsored by Rep. Jim Rhodes (R-St. Louis Park) and Sen. Hottinger, would provide several adjustments to the laws governing the state Campaign Finance and Public Disclosure Board, including a provision that would allow candidates to transfer money from one campaign fund to another, for example, if a state senator decided to run for another office and had already raised some funds for a Senate re-election campaign. A conference committee reached agreement on the bill and both the House and Senate passed the measure again. It awaits the governor's signature.

Employment

- HF3648/SF3431*, sponsored by Rep. Dan McElroy (R-Burnsville) and Sen. Ellen Anderson (DFL-St. Paul), deals with several economic development issues, including a proposal to extend unemployment benefits to employees at Farmland Foods in Albert Lea. The bill awaits action by the conference committee.

Environment

- HF3025/SF2727*, sponsored by Rep. Doug Peterson (DFL-Madison) and Sen. Don Samuelson (DFL-Brainerd), would adjust the boundaries for several state parks. It awaits action by the conference committee.
- HF2973/SF2738*, sponsored by Rep. Mark Holsten (R-Stillwater) and Sen. Leonard Price (DFL-Woodbury), would allow the Department of Natural Resources to manage chronic wasting disease, which affects the deer population. A conference committee has been appointed to negotiate an agreement.

Government

- HF3163, sponsored by Rep. Eric Lipman (R-Lake Elmo) and Sen. Don Betzold (DFL-Fridley), is the revisor's technical bill. It includes a provision that would correct a sunset date that was inadvertently omitted from the state government finance law in 2001 and some members are objecting to its inclusion now. It awaits action in a conference committee.
- HF2649/SF2448*, sponsored by Rep. Steve Smith (R-Mound) and Betzold, would allow members of the media access to motor vehicle records kept by the state if the information is related to operating a motor vehicle or public safety. The bill awaits action by a conference committee.
- HF3575/SF3208*, sponsored by Rep. Dave Bishop (R-Rochester) and Senate Majority Leader Roger Moe (DFL-Erskine), would remove same-sex domestic partner benefits from contracts negotiated between

the state and its two largest employee unions last fall. The bill awaits action by a conference committee, which was appointed in late March. The provision is also included in HF3270, the House version of the final budget-balancing measure, which also awaits conference committee action.

Health

- HF3200, sponsored by Rep. Goodno and Sen. Sheila Kiscaden (R-Rochester), would provide guest dental licenses for out-of-state professionals. The House adopted the conference committee report May 8 and re-passed the bill. It awaits further action in the Senate.
- HF2625/SF3133*, sponsored by Rep. Marty Seifert (R-Marshall) and Sen. Dan Stevens (R-Mora), would require legislative approval of any proposed rule changes to the state's Clean Indoor Air Act. An amendment added on the House floor, by Rep. Pawlenty, would prohibit the commissioner of children, families and learning from implementing any rules related to the Profile of Learning. Both the House and Senate appointed a conference committee May 8.

Transportation

- HF3203, sponsored by Rep. Kuisle and Sen. Steve Murphy (DFL-Red Wing), deals with a number of public safety and transportation issues, including a proposal to allow a motorcycle to go through red lights if it is not triggering a traffic signal sensor. The House approved a conference committee agreement on May 8 and re-passed the bill. It awaits further action in the Senate.
- HF3304/SF2433*, sponsored by Rep. John Tuma (R-Northfield) and Betzold, would make it a crime for a bus driver of special transportation buses to engage in sexual contact with riders. The bill awaits action in a conference committee.
- HF3199/SF3298*, sponsored by Rep. Kuisle and Sen. Dean Johnson, would primarily allow the state Department of Transportation to purchase land for highway projects, continue construction of the Highways 55 and 62 interchange near Fort Snelling, and be exempted from a moratorium on consulting contracts. The conference committee reached agreement and both the House and Senate voted to re-pass the bill. It awaits the governor's signature.

Others active bills not in conference committee

- HF1025, sponsored by Rep. Entenza and Sen. Cohen, would require members of the State Board of Investment, which includes the governor, to disclose income made from any non-state entities. The bill passed the House on May 1 and awaits action by the full Senate.
- HF1671, sponsored by Rep. Holsten and Sen. Bob Lessard (Ind.-Int'l Falls), would provide for a constitutional amendment on the November ballot to dedicate three-sixteenths of 1 percent of sales tax proceeds to a heritage enhancement fund for the environment. Action on the bill was delayed in the House State Government Finance Committee May 8 and may be revisited.
- HF3719/SF3463*, sponsored by Rep. Tim Finseth (R-Angus) and Sen. Murphy, would allow the state Department of Agriculture to spray areas of Minneapolis to control the spread of gypsy moths. The plan passed the Senate and awaits action by the full House.
- HF1868/SF1755*, sponsored by Rep. Greg Davids (R-Preston) and Sen. Leroy Stumpf (DFL-Thief River Falls), would call for a study of a pilot project to provide a statewide insurance plan for teachers. The House and Senate both passed the bill, which now returns to the Senate for reconsideration after the House amended it.

* denotes the version of the bill being considered

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Minnesota State Agencies

(Area code 651)

Agriculture	297-2200
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3711
Toll Free	1-888-438-5627
Unemployment claims	296-3644
Employee Relations	297-1184
Job Information	296-2616
Finance	296-5900
Health	215-5800
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	296-6117
Labor and Industry	296-6107
Military Affairs	282-4662
Natural Resources	296-6157
Public Safety	296-6642
Driver and Vehicle Services	296-6911
Fire Marshal	215-0500
Alcohol and Gambling	
Enforcement Division	296-6979
State Patrol	297-3935
Pollution Control Agency	296-6300
Public Service	296-5120
Revenue	
Taxpayer Assistance	296-3781
Trade and Economic Development	297-1291
Office of Tourism	296-5029
Transportation	296-3000
Veterans Affairs	296-2562
House Information	296-2146
Toll Free	1-800-657-3550
Senate Information	296-0504
Toll Free	1-888-234-1112

State Information <http://www.state.mn.us>
Legislative Information <http://www.leg.state.mn.us>

Joint Legislative Services

Legislative Coordinating Commission (LCC)

85 State Office Building..... (651) 296-9002

LCC Central Accounting

60 State Office Building..... (651) 296-8890

LCC Subcommittee on Rules

55 State Office Building..... (651) 296-1121

Claims (Joint Subcommittee on Claims)

85 State Office Building..... (651) 296-0099

Geographic Information Systems

(GIS) Oversight Office/Subcommittee

85 State Office Building..... (651) 296-0098

Legislative Advisory Commission (LAC)

Fourth Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 (651) 296-4956

Office of the Legislative Auditor

First Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 (651) 296-4708

Legislative Commission on the Economic Status of Women

85 State Office Building..... (651) 296-8590
Toll Free 1-800-657-3949

Joint Subcommittee on Employee Relations (LCC)

85 State Office Building..... (651) 296-2963

Legislative Commission on Health Care Access

309 Capitol (651) 296-4261

Legislative Commission on Minnesota Resources (LCMR)

65 State Office Building..... (651) 296-2406

Legislative Commission on Pensions & Retirement

55 State Office Building..... (651) 296-2750

Legislative Commission on Planning & Fiscal Policy

85 State Office Building..... (651) 296-9002

Iron Range Resources & Rehabilitation Board (IRRRB)

P.O. Box 441
Eveleth 55734 (218) 744-7400

Mississippi River Parkway Commission

P.O. Box 59159
Minneapolis 55459-8207 (763) 212-2560

Electric Energy Task Force

322 Capitol (651) 296-4370

Regent Candidate Advisory Council

85 State Office Building..... (651) 296-9002

Board of Trustees Candidate Advisory Council

85 State Office Building..... (651) 296-9002

Campaign Finance & Public Disclosure Board

First Floor South, Centennial Office Building (651) 296-5148
658 Cedar St., St. Paul 55155

Legislative Reference Library

645 State Office Building..... (651) 296-3398

Office of the Revisor of Statutes

700 State Office Building..... (651) 296-2868

Other Information Numbers

Federal Information **1-800-688-9889**

White House **(202) 456-1414**

1600 Pennsylvania Ave.

Washington D.C. 20500

Tracking new laws, vetoes

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

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

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

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

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

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

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
226	2624*	2441	Shakopee Public Utilities Commission increased from three to five members.	3/7	
227	3148*	3025	Speech-language pathologist and audiologist registration requirements modified.	3/7	
228	2992*	2865	Occupational therapist temporary licensure terms modified.	3/7	
229	3062*	2839	Hennepin and Ramsey counties juvenile court judge term limits repealed.	3/7	
230	2748	2573*	Browns Valley school year start before Labor Day.	3/13	
231	2695*	2531	Minneapolis Firefighters Relief Association retirement provisions corrections provided.	3/13	
232	58*	389	Beer kegs identification and sales requirements.	3/13	
233	3190*	3111	Juvenile court data in statewide supervision system.	3/13	
234	2783*	2671	No-fault auto insurance residual liability coverage regulated.	3/14	
235	1189*	1376	Election of municipal council members provided after annexation.	3/14	
236	1620*	2210	Orderly annexation agreements strengthened.	3/14	
237	2987*	2873	Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	3/14	
238	3202*	2801	Delano Public Utilities Commission increased to five members.	3/14	
239	2629*	2913	Retired professional designation for Board of Architecture, et al. licensed retirees.	3/14	
240	3309*	3082	Nursing home licensed bed lay away authorized during moratorium projects.	3/14	
241	2637*	2472	Temporary town officeholders authorized in event of inability or refusal to serve.	3/14	
242	3344*	2892	Second Judicial District combined jurisdiction program authorized.	3/14	
243	3296*	3206	State employee Social Security administrative duties transfer.	3/14	
244	1547	1495*	Omnibus agriculture policy provisions modifications.	3/15†	
245	2612*	2562	Licensed architect, et al. requirement circumstances revised.	3/15	
246	2899*	2711	Livable community demonstration account provisions modified.	3/21	
247	3584*	3302	Judgment calculation interest rate formulas modified.	3/21	
248	2813*	2803	Child care providers required to develop policies for reporting suspected child maltreatment.	3/21	
249	2766*	2475	Motor vehicle fuel franchise sale federal code compliance expiration date removed.	3/21	
250	3189*	3135	Street-sweeping vehicles defined as special mobile equipment for registration purposes.	3/21	
251	2742*	2757	State agency contested case procedures regulation provided.	3/21	
252	2531*	2381	Hospice care providers regulated, and criminal penalties imposed.	3/22	

◆ - veto overridden by the Legislature
† - Filed without signature

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

CH	HF	SF	Description	Signed	Vetoed
253	3275	2932*	Citizen water quality monitoring encouraged.	3/22	
254	3133	2971*	State procurement competitive bidding for building and construction contract references codified.	3/22	
255	1097	1072*	"Grace" state photograph designation.	3/22	
256	3074	2834*	Steele County recorder appointment.	3/22	
257	3512	3258*	Garfield state land exchange.	3/22	
258	2652	2434*	Polk County recorder and auditor-treasurer appointment.	3/22	
259	2603	2627*	Optometrists and physicians contact lenses prescriptions regulated.	3/22	
260	3238	3115*	State energy efficiency installment purchases regulation provisions modified.	3/22	
261	3462	3080*	Funeral trust account provisions modified.	3/22	
262	3348	3136*	Workers' compensation provisions modified.	3/22	
263	2753	2590*	Carlton County recorder appointment authorized.	3/22	
264	2796*	2670	Minneapolis asphalt plant construction authority.	3/22	
265	2792*	2575	Appliance recycling required.	3/22	
266	3373	3045*	Fourth Judicial District domestic fatality review team pilot project extension.	3/25	
267	3362	3109*	Municipal police departments black patrol vehicles.	3/25	
268	2662	2611*	Interstate compact for adult offender supervision.	3/25	
269	1934	1030*	National crime prevention and privacy compact.	3/25	
270	94	222*	Game and fish laws gross overlimit violations penalties.	3/25	
271	2873	2578*	County human services and public health clients support programs.	3/25	
272	2993	2463*	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	3/25	
273	3263	3167*	Sex offenders civil commitment determinations data access authority.	3/25	
274	1413	1226*	No-fault automobile insurance full medical expense benefits entitlement.	3/25	
275	3276	3100*	Medical assistance reimbursement for tribal health services.	3/25	
276	3291	3124*	Nursing and board care homes resident reimbursement classifications provisions modification.	3/25	
277	3245	3126*	Health care and human services programs provisions technical modifications.	3/25	
278	3061	3117*	Metropolitan Council interceptor facilities continued use determination.	3/25	
279	2600	2419*	Child care programs wading pools public swimming pools regulations exemption.	3/25	
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27◆
281	2678	2768*	Medical assistance demonstration project provisions modified.	3/26	
282	3579	3073*	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	3/26	
283	2570*	2553	Automobile insurance damaged window glass claims payment basis modified.		3/26◆
284	3274*	3068	Military active service protections.	3/26	
285	2882*	3122	Electric personal assistive mobility device and roadway and sidewalk regulations.	3/26	
286	3078	2821*	Real estate brokers and salespersons regulatory provisions modifications.	3/26	
287	2664	2459*	Supplemental nursing services agencies registration criteria expansion.	3/26	
288	1885	2115*	Motor vehicle dealers surety bond requirements clarification.	3/26	
289	3091	2764*	Mentally retarded persons incidents and emergencies reporting standards modification.	3/26	
290	2932	2614*	Foster care placement communicable diseases disclosure requirement.	3/26	
291	3080	3055*	Metropolitan transit police provisions modifications.	3/26	
292	2757	2692*	Human services licensure.	3/26	
293	2889	2933*	Individual sewage treatment systems installation.	3/26	
294	2635	2550*	Special education services costs reimbursement.	3/26	
295	3222	2953*	Fire insurance excess coverage prohibitions.	3/26	
296	2933	2546*	Rockville and Pleasant Lake consolidation plan joint development required.	3/26	
297	2884*	2715	Motor vehicle excessive gross weight civil fine imposition modified.	3/26	
298	3196*	2966	State procurement law ethical provisions clarified.	3/26	
299	3205	2890*	Public works contracts regulated.	3/27	
300	3223	2793*	Out-of-state facilities for children with severe emotional disturbance certification plan required.	3/27	
301	2842	3244*	Evidentiary laboratory blood sample reports electronic signatures.	3/27	
302	3224	3034*	Hennepin County Medical Center cooperative purchasing authority.	3/27	
303	3240	2814*	Electronic voting authorized for cooperatives.	3/27	
304	2596	2673*	Child custody provided for by de facto custodians and third parties.	3/27	
305	3328	3278*	Driver's education organ and tissue donation instructions.	3/27	
306	3079	2697*	Real estate transactions disclosure requirements.	4/1	
307	3492	3315*	Insurance provisions modification; medical malpractice insurance joint underwriting assoc. issuance prohibition.	4/1	
308	3221	3145*	Military justice code revisions.	4/1	

CH	HF	SF	Description	Signed	Vetoed
309	3506	3084*	State and local government units auditing and reporting requirements modifications.		4/1
310	1224*	887	Medical response unit registration provided.	4/1	
311	2785	2542*	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	4/1	
312	3519	2675*	State agencies required to use cleaner fuels.	4/4	
313	2647	2569*	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	4/4	
314	2840	2580*	Criminal prosecution estoppel provisions modified.	4/4	
315	3169	2881*	Housing; municipal low-income housing authority specified.	4/5	
316	3076	2612*	Funeral procession escort private vehicle authorized to use flashing red lights.	4/5	
317	3029	2680*	Energy building code requirements changed in certain instances.	4/5	
318	3058	2739*	Cities additional liquor licenses; hotel rooms liquor cabinets hours of sale restrictions exemption.	4/5	
319	2706*	3076	Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided.	4/5	
320	3030	3322*	Metropolitan Council existing service capacity external use provided.	4/8	
321	3034	2949*	Background check public criminal history data expanded.	4/8	
322	2841	2533*	Criminal offenders county correctional services costs payment.	4/8	
323	2684	2678*	Natural Resources Department provisions modifications.	4/8	
324	3432	3352*	Dry cleaner environmental response and reimbursement.	4/8	
325	3209	3054*	Petrofund consultant and contractor registration period modifications.	4/8	
326	3464	3174*	Money Transmitter Act small business category created.	4/8	
327	1763	1811*	Public drainage systems jurisdiction transfer.	4/8	
328	1683	2150*	Technology circuits or systems contractors and power limited technicians.	4/8	
329	3125*	2987	Telecommunications access for communication-impaired persons program renamed.	4/8	
330	2988*	3023	Insurance licenses, fees, and coverages regulated; health care administration simplified.	4/8	
331	3497	3015*	Commerce Department insurance fraud prevention; crime of employment of runners.	4/10	
332	2719*	2827	Uniform Athlete Agents Act providing student athlete agent registration adopted.	4/10	
333	1517*	1443	Swimming pool requirements established for family day care homes.	4/12	
334	2835	3028*	National and community service commission nonprofit corporation creation.	4/12	
335	2735	2457*	Civil commitment standards modifications; mental health system report.	4/16	
336	2763	2592*	Mutual insurance holding companies reorganization to stock companies.	4/16	
337	3537	3288*	Firefighters interest arbitration decision provision expiration date extension under PELRA.	4/16	
338	3455	3380*	Postnuptial contracts provisions modifications.	4/16	
339	2751	2650*	Credit unions regulation provisions modifications.	4/16	
340	3445	3238*	Nonprofit neighborhood organization members directors election, voting right notice option.	4/16	
341	3193	2957*	Dentist practice violations reporting requirements.	4/17	
342	3257	2988*	Financial institutions detached facilities, charges and fees, and mortgage prepayment penalties regulated.	4/17	
343	2687	3075*	Motor vehicle sales tax payment for sales in violation of dealer licensing requirements.	4/17	
344	3393	3114*	Child support obligors limited driver's licenses and payment agreements.	4/17	
345	1524	1555*	Fertilizer use regulated.	4/19	
346	2935	2909*	Health maintenance organizations rural demonstration project authorized.	4/19	
347	2657	2540*	Probate property succession provisions modified.	4/19	
348	3048	2460*	Criminal penalties for persons who take responsibility for criminal acts provided.	4/24	
349	2473*	2807	Darlene Luther Anatomical Gift Act specifying intent and consent requirements.	4/24	
350	2525	2960*	Certain fireworks legalized; unpaid volunteer firefighting leave.	4/29	
351	2920	2674*	Omnibus game, fish, and forest bill provisions modifications.	4/29	
352	2618*	3373	Personnel not public data sharing authority.	5/1	
353	1359	2125*	Wildlife management areas land additions and ATV use regulations.	5/1	
354	3249	2998*	Certain alcohol and drug counselors licensing requirements waived.	5/1	
355	2970*	3010	Recreational motor vehicles use provisions modification.	5/1	
356	3509	3257*	Housing and redevelopment authority officers grant or loan eligibility.	5/1	
357	2492	2363*	Homeowners and automobile insurers credit scoring use restriction and regulation.	5/1	
358	2995	3168*	Walker authorized to maintain and operate state water tower at Ah-Gwah-Ching.	5/1	
359	2906	2568*	Hennepin County parking facilities and real property leases provisions modification and repeal.	5/3	
360	3443	3200*	Nonprofit environmental learning center insurance coverages regulated.	5/8	
361	3346	3026*	Interstate telemedicine services regulation.	5/8	
362	3359*	3005	Nurses protocol modifications.	5/8	
363	3379	3384*	Campaign finance and public disclosure law provisions modified.	5/9	
364	3199	3298*	Transportation provisions modifications.	5/9	

Monday, May 6

HF3721—Westrom (R)
Environment & Natural Resources Policy
Aquaculture license review and assessment required.

Wednesday, May 8

HF3722—Abrams (R)
Rules & Legislative Administration
Unicameral legislature adopted consisting of 134 members, and constitutional amendment proposed.

HF3723—Davids (R)
Commerce, Jobs & Economic Development Policy
Insurers prohibited from charging membership fees or dues.

HF3724—Evans (DFL)
Governmental Operations & Veterans Affairs Policy
Governor's mansion operation and maintenance appropriations required to be made through the Department of Administration.

Thursday, May 9

HF3725—Vandever (R)
Jobs & Economic Development Finance
Local consolidation aid grant provided, and money appropriated.

HF3726—Clark, K. (DFL)
Crime Prevention
DWI vehicle forfeiture judicial review rights notice required in Somali language.

COMMITTEE SCHEDULE

MAY 13 - 17, 2002

MONDAY, May 13

8 a.m.

HF2903/SF2486 Conference Committee
Radiation therapy facilities major spending commitments prospective review and approval; review and approval process evaluation.
125 State Capitol
Chrs. Rep. Kevin Goodno, Sen. Don Samuelson

9 a.m.

Legislative Commission on the Economic Status of Women
500S State Office Building
Chr. Rep. Barb Sykora
Agenda: Interim planning.

11:30 a.m.

RULES & LEGISLATIVE ADMINISTRATION
5 State Office Building
Chr. Rep. Tim Pawlenty
Agenda: SF3154/HF3206 (McElroy) A bill for an act relating to occupational safety and health; eliminating certain responsibilities of the commissioner of health; increasing penalty limits for certain violations.
HF3722 (Abrams) A bill for an act proposing an amendment to the Minnesota Constitution to provide for a unicameral legislature.

1 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, May 14 - FRIDAY, May 17

No meetings have been announced.

Frequently called numbers

(Area code 651)

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

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

Committee Hotline, Senate 296-8088
Legislative Reference Library
645 State Office Building 296-3398
Governor's Office
130 Capitol 296-3391
Attorney General's Office
102 Capitol 296-6196
Secretary of State's Office
180 State Office Building 296-2803
Capitol Security
B-5 Capitol 296-6741
Emergency 296-2100

Continued from page 10

to \$434 million by the end of December 2001.

The fund sat at \$294 million on April 20 of this year, as reported by the department, which administers unemployment insurance programs. The amount does not include first quarter revenues for 2002, which are projected to be about \$140 million.

The fund total includes a recent \$163 million one-time payment from the federal government. In March all states received a percentage of \$8 billion in excess federal unemployment taxes, which is not related to the 13-week benefit extension.

A study by the Office of the Legislative Auditor, published in January 2002, was conducted to evaluate the adequacy of the financing system for unemployment insurance. It predicted that "even a mild recession could deplete the fund balance."

A fund balance of \$700 million might sound healthy to some, but it pales in comparison to other states. In June 2001, only five other states had lower reserve ratios, according to the report.

There is no crisis if the fund zeros out, but there is a price. The federal government can provide states with loans to continue the payment of benefits, on an interest rate of 6.3 percent. The state last borrowed in 1984, and was in borrowing status for several years in the 1970s.

"The fund will likely go into deficit status around the end of the (calendar) year," said Lee Nelson, legal affairs director for the Department of Economic Security. "We're paying out a little bit more than predicted on a weekly basis."

The state paid out \$23 million in benefits in the week ending April 20, 2002.

Minnesota employers could pay up to \$50 million in interest costs "as a result of a mild recession like that experienced during the early 1990s," the report said. Nelson pointed out that the fund is held at the federal government and earns 6.3 percent interest when it has a positive balance.

House and Senate conferees might be close to compromising on a provision that would temporarily raise the base tax rate to businesses several tenths of a percent, from 0.1 to 0.38, to help rebuild the fund.

If enacted, the extra tax would be in effect for 2003 only, which means the department would begin collecting the tax in January, and it would not be available for disbursement until the second quarter of the year.

Rep. Bob Gunther (R-Fairmont) said he is hoping the fund will stay in the black until the proposed legislation would take effect. "The federal \$163 million could keep the fund solvent until 0.38 takes effect." 🐸

Continued from page 14

Rep. William Kuisle (R-Rochester), sponsor of the current House transportation finance bill (HF3364), said he would be leery of the system for several reasons.

Aside from privacy concerns, there are still many questions about how the system would work, how much money it would generate, and if there would be balance between Greater Minnesota and Twin Cities metropolitan area expenses, he said.

"People out in rural Minnesota, where they do a lot of driving, are probably going to frown on it," Kuisle said.

The demise of the gas tax is also uncertain, he said.

"The gas tax has been predicted to be in trouble since the 70s," he said.

Still, the new technology is worth studying, he added.

"I'm not sure this is the answer, but we always have to be willing to look at new ways of doing things." 🐸



High-tech tallies

Legislators in Arizona chambers sport new voting system, along with video, DVD, and presentation equipment

Arizona lawmakers last year approved bringing their old trouble-ridden voting systems into the 21st century by replacing them with a new state of the art computerized voting systems.

In addition to the new voting systems, both chambers now have a large screen that drops down from the ceiling of the chambers, allowing members to view vote tallies, DVDs, videos, and computer presentations from their desks.

Senators had been troubled by their old voting system, which was built in the 1980s and often didn't work correctly, meaning Senate staff had to tabulate votes for the 30 members by voice vote.

The new computerized system turns

member's names green or red to indicate a yes or no vote, and leaves a name yellow if a member hasn't yet voted.

The previous system was so outdated that only one company in Washington, D.C. had employees who knew how to maintain it, meaning costly repair bills for the Senate.

In the House chamber, an outdated and unreliable voting system caused similar frustrations.

In response, the 60 House members approved a plan last year to replace the old system with a new computerized one.

Despite a special session that lasted until late December, the system was up

and running in time for the new session that began less than one month later.

While House members appreciate the new equipment, the simple pleasures are not overlooked either. According to the company that installed the new voting system in the House, members have commented on how cool the new backlit voting buttons look when the chamber lights are dimmed.

The Minnesota House still uses a simple red-green voting system that was initially installed in 1939. At the time, it was the first electronically tabulated voting board of its kind.

(L. HILTON)

Minnesota Memorials



Gov. Knute Nelson

He was the first foreign-born governor of the state and his statue is close to the office he once occupied.

Gov. Knute Nelson's is one of two memorials on the south steps of the State Capitol. Former Gov. John A. Johnson's is the other.

Nelson was born in Norway in 1849 and sailed to the United States six years later, settling briefly in Chicago before his family moved to Wisconsin.

A Civil War veteran with the Wisconsin Volunteer Infantry, Nelson was wounded and taken prisoner in Louisiana in 1863. Following the war, Nelson finished his schooling, was admitted to the bar, and began to practice in Cambridge, Wis.

His political career began with a two-year stint in the Wisconsin assembly in 1868-69. After moving to Alexandria, Minn., in 1871, Nelson was elected to the Minnesota Senate in 1874. He served for four years.

Nelson, a member of the University of Minnesota Board of Regents from 1882-1893, went to Washington D.C. in 1883 as a Republican member of the U.S. House of Representatives, but after three terms he decided to return to Minnesota.

However, his political career was far from over as Nelson was elected governor in 1892 and re-elected in 1894. He resigned from the position in Jan. 31, 1895 to run for the U.S. Senate. He served there for 28 years, until his death aboard a train near Timonium, Md. on April 28, 1923 on his way home to Minnesota. He stands as the longest serving Minnesotan in the U.S. Senate.

In Washington, Nelson frequently went against traditional Republicans, as he favored antitrust and income tax legislation. He was also a key player in the formation of the departments of Commerce and Labor.

Sculpted by John K. Daniels, and dedicated in 1928, the statue features Nelson as a statesman surrounded by figures that show him as a child with his mother and as a Civil War soldier.

(M. Cook)

Reflections

Horses are agile, strong, and intelligent, and they played a major role in the growth of Minnesota.

Early in the state's history horses pulled wagons full of pioneers and homesteaders across rugged land to settle in the territory. Later, they were used alongside oxen to haul cartloads of harvested crops or take goods to distant markets, drag logs down to the river for lumber mills downstream, or were harnessed to a carriage for transportation purposes. In the 1880s, horses were hooked up as the power source to pull streetcars around town.

In fact, the term "workhorse" is an outgrowth of how the animals were used, such as in the hauling of stones and lumber by pulley to the upper levels of the building.

When the State Capitol was completed in 1905, most people arrived at the seat of government by horseback, horse and buggy, or streetcar.

Capitol architect Cass Gilbert provided for an arrival and departure area for horse carriages beneath the south steps that is free from inclement weather. Dignitaries and other visitors only had to take a few strides from there to enter the building.

During the early 1900s, when horse racing was at its peak, many national figures came to see Gilbert's new and magnificent building and to speak at the state fair. Thousands of people listened to famous people talk at the fair, but more went to see racing and exhibitions performed by renowned horses of the day, including the legendary Dan Patch.

Not counting the four horses of the Capitol's Golden Quadriga, Dan Patch is likely the most remembered horse in Minnesota.

Born in Oxford, Indiana in 1896, the horse gained his fame as a champion harness racer across the country. He is still

honored in his home city by the annual "Dan Patch Days." The Indiana Legislature also passed a resolution to rename a state road for the racer, much like the Minnesota State Fair's main street, which is aptly named Dan Patch Avenue.

Joe Patchen, a well-known racehorse, sired Dan Patch, but Patch's owner, Dan Messner, thought the crooked-legged foal would be destined to pull a milk wagon. That was before a local stable owner nurtured the colt

with patience and fortitude.

Dan Patch began to show racing promise as a three-year-old. As a four-year-old, he won so many harness races that other owners refused to have their horses compete against him. By July 1902, he had won 54 of 56 races.

Later that year the horse was purchased by Marion Willis Savage of Hamilton, Minn., who made him the most popular horse in the country, primarily through a series of exhibition races where he raced against the clock. The town of Hamilton was renamed Savage in 1904.

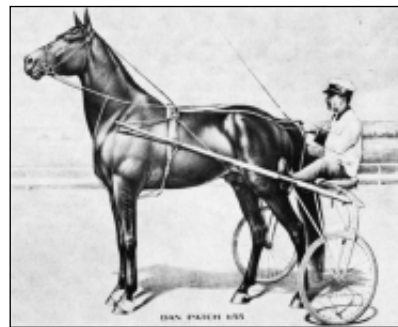
In his heyday, the horse's image was used to promote different products — from tobacco to washing machines — that national companies named after him. He also helped make the Minnesota State Fair one of the best attended in the country with his appearances as a main attraction.

His gentle personality attracted people. According to his owner, Dan Patch understood the attention adults and children gave him and he honored them by winning races and always pacing "with head held high, and in a most dignified manner."

Dan Patch died in 1916 at age 20, and his owner passed away the next day at age 57.

—LECLAIR GRIER LAMBERT

Illustration courtesy of the Minnesota Historical Society



Dan Patch in 1904.

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

MINNESOTA INDEX

Manufacturing and exports

Number of Minnesotans employed in manufacturing in 2001	423,480
In 2000	439,890
Percent growth in manufacturing jobs from 1991 through 2000	11.1
Employment decrease in the three largest high-tech manufacturing industries in 2001	4,400
Jobs lost between 2000 and 2001 in industrial machinery (including computers) and electronic equipment industries, each	3,100
State manufacturing exports in 2001, in billions of dollars	9.7
State rank	20
As percent increase from 2000	2.4
Percentage decrease of U.S. exports in the same period	7.2
State manufacturing exports in 1995, in billions of dollars	8.2
In 1990	5.9
Percentage increase in Minnesota manufacturing exports in the first quarter of 2001 versus one year prior	7.3
Nationally	4.8
Percentage decrease in Minnesota manufacturing exports in the fourth quarter of 2001	3.7
Nationally	16.1
Dollar value of exports to Minnesota's top 10 markets in 2001, in billions	6.9
Percentage increase from 2000	7.5
As percent of total manufactured exports	71
Billions of dollars in Minnesota exports to the Asia-Pacific region, in 2001	3.4
As percent of all state manufactured exports	35
Growth to that region in 2001, as percent	0.9
U.S. sales percentage decline to the Asia-Pacific region in 2001	11
Minnesota manufacturing exports to the second-largest destination (European Union), in billions of dollars	3
State percentage increase in 2001	3.4
U.S. exports percentage decrease to the area	4.1
Largest amount of Minnesota export sales to another country (Canada), in billions of dollars in 2001	2.32
Percentage increase from 2000	2.1
Second largest (Japan), in millions of dollars	996
Percent increase in Minnesota export sales to Ireland (not including Northern Ireland) from 2000 to 2001	59
Dollar value, in millions	647
U.S. percentage decrease	7.1

Sources: 2001 Annual Export Statistics and 2000 Annual Export Statistics, Minnesota Department of Trade and Economic Development, April 2002 and July 2001; www.mntransition.org; Minnesota Department of Economic Security.

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SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

MAY 17, 2002

VOLUME 19, NUMBER 16

In this issue:

BUDGET AGREEMENT REACHED

UNEMPLOYMENT BENEFITS, BONDING UPDATE, AND MORE

HF3727-HF3734

Session Weekly

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

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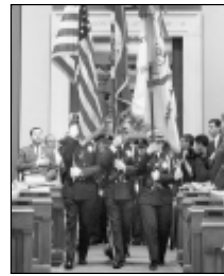
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On the cover: The chandelier in the Capitol Rotunda is illuminated once a year as part of the May 11 Minnesota Statehood Day celebration.

—Photo by Andrew Von Bank

Agreement reached

Budget bills use fund transfers, accounting shifts rather than spending cuts to erase remaining \$439 million deficit

By DAVID MAEDA

A plan that would balance the state's books for the current biennium cleared both bodies May 15 and now awaits the actions of the governor.

The budget agreement contains many components, most of which are contained in two large bills, HF3270 and HF2498, both on their way to the governor.

House leaders pushed to finish the bills by the end of the day May 15 so they would leave enough time in the legislative session to override any potential gubernatorial vetoes. Gov. Jesse Ventura has said publicly that he may veto any plan that does not include permanent spending reductions beyond the 2002-03 biennium.

The governor has three days, through midnight May 18, to sign or veto the bills. The Legislature may have to convene on May 19, a

bills may not be passed or vetoes overridden on the final day of a session.

Budget-balancing bill

The House passed a budget deficit reduction bill (HF3270) 88-44. Later in the day the Senate passed the bill by a 51-14 vote. If Ventura should choose to veto the bill a two-thirds vote in both bodies (90 votes in the House and 45 in the Senate) is needed for an override.

Supporters said that although the bill is not a perfect solution, it is necessary to prevent a situation where the governor would cancel previous appropriations in order to balance the budget.

The bill eliminates the state's \$439 million deficit by transferring funds and using accounting shifts, such as delaying some payments.

(R-Moorhead), who sponsored the bill along with Sen. Doug Johnson (DFL-Tower).

"If the economy does not improve we'll be dealing with those issues next year in a longer session and we have to recognize this," Goodno said. "This gets us through '02-'03, which is our constitutional mandate, but it does it in a way that minimizes the negative impact on people throughout the state."

House Minority Leader Tom Pugh (DFL-South St. Paul), who served on the budget conference committee, said the measure was better than not balancing the budget, but it is not something to be proud of.

"This bill is not good policy," he said. "This is the kind of policy that would make dead people cry."

The largest shift would come from a temporary adjustment in the K-12 aid payment formula. Under existing law state aid to school districts is paid in two-year cycles, with 90 percent in the first year and the remaining 10 percent the following year.

Under the bill, the percentages would change to an 83 percent -17 percent formula. The shift would save \$437.5 million this fiscal year.

A \$155 million transfer from the state's cash flow account would provide the next largest budget adjustment. The transfer would deplete the remaining funds in the account, portions of which were used in the first budget-balancing law. The account is used to meet deficiencies resulting from the uneven distribution of revenue collections and required expenditures.

The bill would allow the state finance commissioner to use \$1.1 billion in tobacco endowment funds to meet short-term cash flow needs. If funds are transferred, the amount plus interest must be returned to the endowment fund when sufficient cash balances are available in the general fund.

Repealing a scheduled reduction of a business tax payment provision would account for another \$25.5 million, under the bill.

Retailers with at least \$120,000 in annual sales tax collections must now pay 75 percent of their estimated June sales tax liability two business days before June 30, the end of the state's fiscal year. The rest of the year they are required to pay the taxes by the 14th of the following month.

As part of the 2001 omnibus tax law the June accelerated sales tax was to be eliminated by reducing the percentage to 62 percent this year



PHOTO BY TOM OLMSCHIED

House Speaker Steve Sviggum, *right*, explains a portion of the budget agreement reached by legislative leaders during a May 14 news conference. Also in attendance are, *from left*, Senate Majority Leader Roger Moe, Senate Minority Leader Dick Day, House Minority Leader Tom Pugh and House Majority Leader Tim Pawlenty.

Sunday, to take up any override motions. House parliamentarians say they do not remember the House ever convening on a Sunday before.

The constitutional deadline for adjournment is May 20. According to the constitution,

"On the whole I think this is a very good bill, it's a compromise, but it did avoid some of the hard decisions that have to be made with regards to tax increases and some severe spending cuts," said Rep. Kevin Goodno

and eliminating the payment shift altogether in June 2004.

The bill would add \$75 million to the general fund by converting cash appropriations for various projects to bonding. The biggest project involves a \$40 million appropriation to the Department of Administration to help pay for a new building for the Bureau of Criminal Apprehension.

One sticking point in the budget negotiations was the amount of budget reserves to be replenished. The bill would restore the reserve to \$302 million. In the previously approved budget-balancing law, the \$653 million in the reserves were depleted.

Among the new bill's budget reductions is a \$5 million cut to the Legislature's budget: \$3 million to the House, and \$2 million to the Senate.

The bill would provide \$375,000 to reopen the Governor's Residence making it available for public use. Of that amount, \$175,000 would be appropriated to the Department of Public Safety for security at the residence.

Nonstate entities using the residence would be required to pay the state for all costs associated with the use of the facility.

Another provision strikes a portion of the first budget balancing law (HF351*/SF264/CH220) passed this session that prohibited the administration from using funds for the operation of the governor's Washington D.C. office. The bill would remove that restriction but provides no further funds for the office.

House DFL members criticized the bill saying it sets the state up for even greater problems.

Rep. Rob Leighton (DFL-Austin) called the shifts in the bill "accounting gimmicks."

"You haven't made any of the tough choices that many of you promised you would make," he said. "We're simply sliding through this session looking toward the next election."

Rep. Mindy Greiling (DFL-Roseville) said that school districts would face even more difficult times because no inflationary increases are in the bill.

"We are doing a great disservice to our schools by doing nothing but mortgaging their futures," she said.

But Rep. Marty Seifert (R-Marshall) said no solution exists that could have satisfied all members, and the compromise was as good as could be expected.

"Balancing the budget is like going to heaven. Everybody wants to do it but nobody wants to do what it takes to get there," he said.

Continued on page 22



Recreational opportunity

Plan would have expanded underwater state park into Lake Superior for diving enthusiasts

Minnesota currently has 66 state parks, but a plan from the late 1980s looked at expanding one or more into a new area — underwater.

"The 1987 Legislature directed the Department of Natural Resources to study the feasibility of expanding the boundaries of Split Rock Lighthouse or other parks on the north shore of Lake Superior to include sunken ships for underwater interpretation," said a Dec. 31, 1988 feasibility study from the DNR's Office of Planning and the Division of Parks and Recreation.

To do this the DNR held meetings with many interested groups, including divers, the U.S. Army Corps of Engineers, Minnesota Historical Society, and community leaders in the area.

"The general consensus from divers and public agencies alike was that co-operation between divers

and federal, state, and local governments can enhance diving recreation on the north shore of Lake Superior," the report states. "Those efforts also can improve diving safety, protect historic shipwrecks, and increase tourism."

The report concluded that the North Shore of Lake Superior contained some of the best diving areas in the United States. "The water is exceptionally clear, it is relatively uncontaminated, it contains noted shipwrecks and underwater geology, and it has spectacular landside scenery and outdoor recreation opportunities."

Between Duluth and the Temperance River, there are seven known shipwreck sights, including the Madeira near the Split Rock Lighthouse and the Hesper near Silver Bay.

As for the geology, the report noted the terraces, caves, pillars and escarpments in the lake, all of which should appeal to divers. Above ground, "The area in and surrounding the park is unusually scenic, even for the North Shore," the report states.

It also said such a park would be an economic positive for areas along the lake.

At informational meetings Minnesota divers indicated they spent about \$2,315

annually on diving trips, about 25 percent of which were to the area. "If half the divers in Minnesota visited the north shore once a year and spent \$500 per person on the trip, total expenditures would be about \$8,750,000."

At the time the number of divers was increasing, with upwards of 52,000 Minnesotans partaking in the sport. The sport's growth rate was estimated at 8.5 percent annually.

Additionally, up to 50 diving parties sought access to the Madeira shipwreck on weekends.

However, the report noted there would be risks as well, such as liability from diving accidents, historic shipwreck protection (including taking artifacts), and the concern that emphasis on this plan would take away from other high-priority resource management efforts. It noted the DNR was ill-equipped at the time to manage a major program to promote North Shore diving.

The DNR put together a list of 13 recommendations for the Legislature to consider to promote the plan. Included was an expansion of water access points at Silver Bay and Split Rock Lighthouse State Park, an archeological survey of the underwater and landside historic features subject to increased use, the cost of producing information about diving opportunities, and a study of the costs of sinking a ship. The recommendations combined for \$187,800 in one-time costs.

The report said Minnesota divers expressed strong support for sinking a ship after it is made environmentally-friendly as it would diversify diving opportunities, reduce diving pressure on historic shipwrecks, and would attract even more divers from other states who would spend money in Minnesota.

According to Dennis Thompson, a co-author of the report, not all the recommendations were ultimately fulfilled, but some improvements for divers were made, including increased access points at Silver Bay and Gold Rock Point, which is part of the Split Rock Lighthouse State Park.

(M. Cook)

Photo courtesy of the Minnesota Historical Society



A 1988 study examined the expansion of Lake Superior area state parks to include underwater diving attractions.

Editor's Note: The Legislature is required by constitution to adjourn by midnight May 20. With several outstanding issues yet to resolve, the House will likely be meeting through the weekend to finish business before the deadline.

As a result, this issue will not contain all of the final bills that will likely be submitted to the governor for approval. *Session Weekly* staff have updated the proposals through the afternoon of May 16. Please refer to the final 2002 issue of *Session Weekly*, to be published May 24, or the Session Daily Web site at <http://www.house.mn/hinfo/sdaily/sdaily.htm> for further updates.

★ AGRICULTURE

Manure moratorium, policy changes

An agriculture policy bill calling for a methane digester loan program and a moratorium on new, open-air swine manure basins, cleared the House on May 13.

Members approved the bill (HF3183) 131-0 after adopting a conference committee report, sponsored by Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing).

The Senate passed the bill 50-11 the same day. It now goes to the governor.

Specifically, the bill would bar the Minnesota Pollution Control Agency or a county board from approving any permits for the construction of a new, open-air swine manure basin.

Farmers would be allowed to use one basin with less than a 1 million gallon capacity provided that it is part of a permitted waste treatment program for resolving pollution problems. Producers converting the basin to one used by a different animal type would also be exempt from the ban.

The ban on the new open-air manure basins would take effect the day following enactment and expire June 30, 2007.

The methane digester loan program included in the bill would help finance capital investment costs associated with using manure to produce electricity.

Also included in the agriculture policy bill is a revision of the "county extension work" definition. It would strike "economic and human development" and "community" from the work areas of extension educators and add "agriculture finance, economic development, nutrition, and youth leadership development, including 4-H programs."

Members of the House Agriculture and Rural Development Policy and Finance committees have expressed concern that the

CAPITOL FIFE



PHOTO BY ANDREW VON BANK

The State Capitol is reflected in historic interpreter Jeff Nordin's spectacles as he plays the fife May 13 on the Capitol mall. Many historic interpreters, dressed in 19th century costumes, were on hand for a rally celebrating Grand Excursion 2004, a riverfront revitalization and economic development initiative.

University of Minnesota's Extension Service places too little emphasis on the needs of rural farming communities.

Additionally, importing animals known to be infected with or exposed to chronic wasting disease would be banned under the bill. The disease attacks the brains of infected deer and elk, causing the animals to lose weight and behave abnormally and eventually die.

The measure calls for a joint study by the Board of Animal Health and the Department of Natural Resources on chronic wasting disease. The agencies would be called on to make recommendations on how the state can best respond to the problem.

★ BONDING

Nearing an agreement

The House and Senate have agreed on spending limits for the bonding bill — \$976.5 million. Of that figure, \$880 million would be borrowed through general

obligation bonds and the rest would come from cash and user fee revenues.

However, the bodies were unable to reach a compromise on the contents of the bill (HF3618) in time to pass the legislation and still be able to override a veto by the governor.

The conferees were still meeting to finalize the agreement when this edition of *Session Weekly* went to press.

The compromise falls somewhere in the middle of the two original proposals: the House wanted to spend \$839 million, and the Senate \$1.2 billion.

Negotiations stalled over several items as conference committee members tried to beat the clock late into the night May 15.

For example, members argued over how \$13 million of a public safety radio system should be distributed between the Twin Cities metropolitan area and Greater Minnesota. The bonding bill would fund infrastructure for the system — such as towers for transmitting radio signals — and other portions of the system would be paid for separately through an anti-terrorism bill which is still under discussion in a conference committee.

The bonding committee is also hung up on how much to fund the Northstar Corridor project, a commuter rail line that would run between Minneapolis and the St. Cloud area. The Senate bill called for \$8 million and the House allocated nothing.

Gov. Jesse Ventura, a major proponent of the project, has said he wants \$50 million allocated for the corridor. He originally requested \$120 million. Ventura has threatened that if money for the commuter rail line is not included in the bill, he may line-item veto other projects.

Several arts projects that received no House recommendation would now be funded under the new proposal: the Guthrie Theater would receive \$24 million, the Minneapolis Children's Theatre \$5 million, the Minneapolis Planetarium \$9.5 million, and the Trollwood Performing Arts Center in Moorhead \$5.5 million.

The conference committee would also allocate funds for the Colin Powell Youth Leadership Center in Minneapolis, an Asian community center, Neighborhood House El Rio Vista in St. Paul, and the "Mighty Books" program, all projects that received no original House funding.

The bill would include \$20 million for the Northwest Metro Busway that would run along Hennepin County Road 81. No money is allocated for the Snelling bus garage in St. Paul, Cedar Avenue transitway in Minneapolis, or the St. Paul Union Depot.

Travel moratorium

A plan to restrict travel for some state employees cleared a House committee May 13.

The bill (HF1739/SF1438*), sponsored by Rep. Carol Molnau (R-Cologne) and Sen. Linda Scheid (DFL-Brooklyn Park), would call for a moratorium on out-of-state travel by executive branch state employees before July 1, 2003.

The House Ways and Means Committee approved the measure by a 9-8 vote. It now goes to the House Rules and Legislative Administration Committee.

Molnau said the bill is necessary because out-of-state travel costs as a whole rose 48 percent between fiscal years 1996 and 2001. Using numbers from the Department of Finance, she said some departments had large increases, such as a 174 percent jump for the Department of Children, Families and Learning. Conversely, she noted some departments decreased their out-of-state travel costs, such as the attorney general's office, which dropped 51.3 percent.

The governor's office travel costs decreased by 14 percent during the period to \$50,013 in fiscal year 2001.

"This bill is a matter of simple oversight," said Rep. Philip Krinkie (R-Shoreview).

Molnau said waivers to the moratorium would be available through the commissioner of the Department of Employee Relations. The commissioner would also be responsible for publishing a monthly report of granted waivers on the department's Web site and providing copies of the list to the Legislative Reference Library and select legislative committee chairs.

"For a waiver you would need proof that your travel is beneficial to the state," she said.

A successful amendment offered by Rep. Dave Bishop (R-Rochester) removed the Minnesota State Colleges and Universities (MnSCU) from the moratorium. MnSCU's out-of-state travel increased 45.9 percent between fiscal years 1996 and 2001.

Rep. Lyndon Carlson (DFL-Robbinsdale) said the proposed measure, without the Bishop amendment, would allow students to travel out-of-state for events, but not their coaches or directors, because they are state employees.

Bishop asked why legislative employees are not included in the moratorium. Molnau said the speaker has imposed one to a great degree, and that travel is only permitted by special request.

Carlson and Rep. Tom Rukavina (DFL-Virginia) said the expenses involved with all

PRESENTING THE COLORS



PHOTO BY BECKY EKSTAM

The Minnesota Law Enforcement Association Honor Guard presents the colors at the beginning of the May 13 floor session during a ceremony to honor fallen peace officers.

the paperwork may not save much money, if any, compared to what would have been spent on travel. "There is no money saved in this bill other than to look like we're doing something," Rukavina said.

CONSUMERS

Do-not-call list authorized

**Signed
by
the
governor**

Gov. Jesse Ventura signed legislation that will create a telemarketers' "do-not-call" list that will be established by Jan. 1, 2003. He signed the new law on May 15.

At no cost to consumers, Minnesotans will be able to put their home telephone numbers on a list to which telephone solicitors will be required to subscribe, under the law. Residents' names will stay on the list for four years unless they choose to revoke them.

Nonprofit organizations, as well as political groups, will not have to subscribe to the list. Businesses that have a resident's

permission, businesses with a prior relationship to a resident, and businesses who will follow up the phone call with a face-to-face visit are exempt from the requirement to obtain the list.

Four times a year, telemarketing companies will have to purchase the updated list or face a fine. The fee for obtaining the list will be \$125 for each copy. In 2004 the fee will be reduced to \$90, and thereafter it will be \$75.

General fund monies totaling \$482,000 in 2003 will be used to establish and maintain the list.

A violator of the list will be charged a civil penalty up to \$1,000 for each call.

If a national do-not-call list is established, the phone numbers on Minnesota's list will be sent to the Federal Communications Commission to be included on that list.

The law is sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul). It passed the House 114-8 on May 9 and the Senate 58-0 the same day.

HF2710/SF3246*/CH367

Keeping fees down

**Vetoed
by
the
governor**

Gov. Jesse Ventura vetoed a bill May 15 that would increase a fee for filing real estate documents.

Rep. Al Juhnke (DFL-Willmar), the House sponsor of the measure, said the bill was brought forward by the Electronic Real Estate Recording Task Force, of which he is a member, and is headed by the secretary of state.

The task force was created by the 2000 Legislature to study and make recommendations regarding the implementation of a system for electronic filing and recording of real estate documents.

Funding for the task force was provided by a temporary 50-cent increase in the surcharge of recording documents filed with the county registrars of title or county recorders, such as abstracts or Torrens items.

In real estate title law there are two systems: abstract, in which a private third party, such as a lawyer, makes determinations regarding the chain of real estate ownership over the property's history, and Torrens law, which certifies the parties who currently own or have mortgages or other interests in the property.

In filing real estate titles, abstracts are filed with the county recorder and Torrens documents are filed with the county registrar of titles. The bill would have distributed the funds from the increase in the surcharge equally.

Juhnke said the increased surcharge would have resulted in total revenue collected from the fee of \$657,000 in 2004.

The bill would also have extended the life

of the task force, due to sunset June 30, 2003 for another year.

In his veto message, Ventura wrote that it is unnecessary to extend the surcharge paid by home buyers and sellers for another year. He wrote that if the bill were not enacted, the task force would be required to finish its work within the original timeline and budget.

The bill passed the House 110-11 on May 8 and 55-0 in the Senate the same day. Sen. Steve Kelley (DFL-Hopkins) is the Senate sponsor. HF2573/SF2707*/CH365

★ EDUCATION

Standards remain unchanged

The Profile of Learning — part of the state's graduation standards — has been spared from repeal this session.

A House-Senate conference committee voted May 14 to adopt a report on a bill (HF2625/SF3133*) without scrapping the Profile of Learning.

As approved by the conference committee, the bill would require that all rules adopted by a state agency after Jan. 1, 2002 be approved by a law enacted after that date. The measure would also permit school districts to offer students with limited English proficiency an additional testing opportunity to meet the state's graduation requirements for writing.

Ultimately, the bill would provide legislative oversight for certain administrative rules.

The compromise on the graduation standards came after three days of hearings. Essentially, the House conferees wanted to get rid of the statewide standards while allowing schools to keep the standards if they decided to do so.

Senate negotiators wanted to grant the Department of Children, Families and Learning more rulemaking authority to fix the standards without eliminating them. However, a motion offered by Sen. Larry Pogemiller (DFL-Mpls) to accomplish that failed.

Opponents argue the profile standards have loaded teachers with burdensome paperwork and shifted focus away from content in the classroom. Supporters maintain that the standards encourage students to apply what they learn rather than simply regurgitating facts.

Sen. Dan Stevens (R-Mora), the Senate sponsor and conference committee co-chair, said while the profile standards remain intact until next year, legislative support for the standards has eroded significantly.

"The patient might not be on life support, but it's getting awfully close," Stevens said.

Rep. Marty Seifert (R-Marshall), the House bill sponsor and committee co-chair, pushed for the repeal, arguing it would force the Legislature to deal with the issue.



Vernae Hasbargen, executive director of the Minnesota Rural Education Association, testifies May 13 before a conference committee in opposition to a proposal that would scrap the Profile of Learning.

Seifert argued that the state's educational system worked fine before implementation of the Profile of Learning.

He also argued for future legislative oversight of rules issued by the department related to the standards.

A vote on the House repeal proposal failed despite receiving support from all three House conferees and Stevens.

Sen. Sandra Pappas (DFL-St. Paul) voted no, arguing it was too risky to dump the profile standards without offering an alternative plan for new standards. She also disagreed with conferees who suggested the standards needed to be eliminated rather than reformed.

She questioned why lawmakers wanted to "throw the baby out with the bath water."

Rep. Gene Pelowski Jr. (DFL-Winona), a teacher at Winona Senior High School, responded "because the bath water stinks."

Pelowski, one of the most outspoken opponents of the standards, said they have removed "rigor" from the classroom.

In April the House voted 109-22 to repeal the graduation standards, by adopting an amendment to the bill offered by House Majority Leader Tim Pawlenty (R-Eagan). When the Senate considered the House amendment, it failed on a tie vote.

The measure now goes back to the floors of the House and Senate.

Teacher insurance plan approved

Despite some members' concerns over the cost and need for a study that would create a statewide health insurance plan for teachers, the House overwhelmingly approved the measure May 15.

The body passed the conference committee agreement to the bill 109-22, following the Senate's 45-14 approval that took place earlier in the day. The bill (HF1868/SF1755*) now goes to the governor.

Under the measure, a 10-person labor-management committee would compare purchasing full insurance coverage through a pooling arrangement, use of a multiple-employer welfare arrangement, and existing coverage options.

Rep. Mark Buesgens (R-Jordan) was displeased with the committee's agreement.

"This goes far above and beyond" the House's original plan for the study, he said. "At a time where we are cutting ... we're now spending \$1.3 million for a plan and design that we've studied already and know doesn't work."

The House bill initially called for \$200,000, taken from the tobacco endowment funds, to be used for the study and plan design.

The Senate's cost, which ended up in the final report, would appropriate \$670,000 for each of next two bienniums. The money would cover staff, actuarial consulting, and legal expenses.

Rep. Bill Haas (R-Champlin), a conference committee member, said he doesn't expect the study to use all the funds allocated, partly because there is information in other actuarial studies that could be used for the plan.

A House floor amendment survived the conference committee. It would allow proceeds from the sale of raffle tickets at school events to be used by schools for transportation costs. Presently, it's illegal for schools to sell raffle tickets because it is gambling and schools cannot get a license to gamble, said Rep. Larry Howes (R-Walker), sponsor of the amendment.

Another provision, amended on the House floor during the initial debate but not included in the final version, would require the study to address issues involved with cost shifting in health insurance. Rep. Greg Davids (R-Preston), the House sponsor, said the provision did not receive any Senate votes.

Sen. LeRoy Stumpf (DFL-Their River Falls) is the Senate sponsor.

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

ELECTIONS



Error, contribution changes

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by
the
governor

Gov. Jesse Ventura signed a new law May 9 making changes to the state's campaign finance laws.

Rep. Jim Rhodes (R-St. Louis Park), the House sponsor, said the measure was brought forward by the state Campaign Finance and Public Disclosure Board as a way to address issues with laws governing the board.

Many provisions of the new law change penalties for failing to file reports with the board from criminal penalties, primarily misdemeanors and gross misdemeanors, to civil penalties of either \$1,000 or \$3,000 depending on the nature of the violation.

Rep. Loren Solberg (DFL-Bovey) spoke in support of the measure, saying that the criminal penalties discourage people from serving as treasurers for campaign committees because of the fear of being prosecuted for making a mistake.

The new law will make it illegal for political committees and funds to donate money to a candidate at amounts greater than the amount legally allowed. Existing law only bans the candidate from accepting such contributions.

Further, the law will also allow a political candidate, who has agreed with his or her opponent to prescribed spending limits, to be released from the limits if the opponent does not adhere to them.

Effective Aug. 1, 2002, a principal campaign committee of a candidate for the Legislature will be allowed to transfer contributions to another principal campaign committee of the same candidate. The transfer is allowed for members of the House running for a Senate seat, and vice versa, or members of the Legislature running for constitutional officer positions.

The new law stipulates that if such a transfer occurs, the original principal campaign committee must provide a written statement of the committee's intent to dissolve and terminate its registration with the board within 12 months.

The House passed the measure 70-59 on May 6 and the Senate 47-9 May 2. Sen. John Hottinger (DFL-Mankato) was the Senate sponsor.

HF3379/SF3384*/CH363

EMPLOYMENT



Death benefits change

A bill that would change the fines for employers whose violations of the state's occupational safety and health regulations

contributed to the injury or death of an employee now moves to the House floor.

The bill (HF3206/SF3154*), sponsored by Rep. Dan McElroy (R-Burnsville), provides several administrative provisions, in addition to the fine adjustment. It was approved May 13 by the House Rules and Legislative Administration Committee.

Originally debated on the House floor March 18, the bill was amended to change the penalty limits for accidents in the workplace. The amendment, offered by Rep. Torrey Westrom (R-Elbow Lake) and further amended by Rep. Matt Entenza (DFL-St. Paul), would have provided a percentage of the fine paid by an employer to the family or estate of the injured or deceased employee.

McElroy said he then pulled the bill from consideration, because of concerns that the provision would have significant impact on the state's workers' compensation program.

He brought the bill to the rules committee May 13 to amend the bill further to clarify the fine structure.

The new bill removes the Westrom amendment, but it would also change the fine structure for large and small employers. According to the bill, businesses employing 26 or more employees would face fines of up to \$25,000 if workplace conditions cause or contribute to the death of an employee. The level in current law is \$7,000.

That amount would be in effect as a maximum fine limit for businesses with 25 or fewer employees in the same situation.

The fines are collected from employers and deposited in the special compensation fund to be disbursed to injured parties or their families in the case of death.

Rep. Ted Winter (DFL-Fulda) questioned the practice of having different fines for an occupational death, saying one life should not be worth more than another just because there are more employees at their workplace.

McElroy said the new fine structure was intended to reflect an employer's ability to pay fines and Westrom's concern that a small employer may be overburdened by excessive fines.

The Senate version, sponsored by Sen. Martha Robertson (R-Minnetonka), passed that body on March 4 by a vote of 55-0.

ENVIRONMENT



Funding amendment advances

A bill calling for a dedicated fund for the environment cleared the House State Government Finance Committee on May 15 and was broadened to include a plan to boost education spending.

The committee approved the measure

(HF1671) as amended and referred it to the House Taxes Committee.

Sponsored by Rep. Mark Holsten (R-Stillwater), the bill calls for a constitutional amendment, to be placed on the November 2002 general election ballot, that would dedicate three-sixteenths of 1 percent of taxable sales to programs improving wildlife habitat, Minnesota parks and trails, and zoos.

The Department of Revenue estimates that the bill would generate \$128.8 million in fiscal year 2006. To become law, a majority of the state's voters would have to approve the measure in the fall.

The committee also adopted an amendment offered by Rep. Phyllis Kahn (DFL-Mpls) that would set up a another dedicated fund for public education. It would ask voters to approve tapping another three-sixteenths of 1 percent of the sales tax stream for the state's schools.

Holsten pulled his bill from the committee May 8 when Kahn offered the proposal.

Kahn offered another amendment that would have asked voters to approve a sales tax increase of three-sixteenths of 1 percent for both the environment and education. She said it would bolster funding without leaving a "hole in the budget."

The amendment was defeated.

Rep. Phil Krinkie (R-Shoreview), the committee chair, also offered an amendment to the bill calling for voters to approve a constitutional amendment abolishing property taxes. The plan was defeated and criticized by other committee members for being offered without first being heard by the Taxes Committee.

Holsten said he objected to the amendments and urged the committee to let the bill go forward without revisions.

He said that in principle, he objects to dedicated funds but said in order for environmental funding to fare well in this "political environment" the protected account is necessary.

"The only way to compete is to have a dedicated fund," Holsten said.

A similar bill (SF1589), sponsored by Sen. Bob Lessard (Ind-Int'l Falls), awaits a Senate Finance Committee hearing.

Moth spraying allowed

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by
the
governor

A new law signed by the governor May 10 will allow the Department of Agriculture to proceed with plans to spray for gypsy moths.

The highly destructive forest insect strips trees of vegetation.

The House voted 121-1 to pass the measure on May 9 after it cleared the Senate 60-0 three days earlier.

Effective May 11, 2002, the new law provides

exceptions to a state law banning aerial pesticide spraying in areas where people could potentially be exposed.

It will allow the spraying when:

- the pesticide is intended for use on a human, such as bug spray;
- for mosquito control operations before June 30, 2003; or
- to stamp out gypsy moths, tent caterpillars, or other “pest species” when a biological agent is used.

An opinion issued in April by state Attorney General Mike Hatch effectively derailed the department’s plans to conduct the spraying in portions of south Minneapolis, Golden Valley, and St. Louis Park.

The Agriculture Department has pegged this month as the ideal spraying time, prompting the Legislature to fast track the bill to the governor — two weeks passed between the bill’s introduction and the law’s enactment.

The department plans to use *Bacillus Thuringiensis* (B.t.) to kill the moths — a biological treatment considered safe for humans.

Although the measure had wide support in the House, some members raised concerns about the exemption for mosquito control operations.

Rep. Mindy Greiling (DFL-Roseville) said the benefits of curbing “nuisance” insects should be weighed against the mosquito pesticide’s potential effect on the health of children.

A number of legislators said they would like to examine the mosquito control issue in greater depth next session.

Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing) were the law’s sponsors.

HF3719/SF3463*/CH369

★ GOVERNMENT

Correcting errors

The House passed a bill May 15 that would make technical corrections to laws passed during the 2001 session.

Known as the revisor’s bill, the measure (HF3163/SF2792*) passed 81-50. The Senate also passed the bill May 15 on a 57-0 vote. It now proceeds to the governor.

Although the bill is usually non-controversial because it traditionally carries only technical corrections such as typos and incorrect statute references, this year was different.

The measure contains a provision that would insert an expiration date inadvertently misplaced in the omnibus state government finance law, passed during the 2001 special session. The sunset clause would affect a provision that requires the attorney general’s office to deposit all litigation or legal settlement

proceeds in the state’s general fund.

The sunset clause was added in a conference committee last year but put in the wrong place of the final bill when the full House voted on the measure, so Rep. Tim Wilkin (R-Eagan) said he wasn’t aware of its inclusion. During an earlier conference committee this year he argued the clause should not be reinserted as a “mistake.”

But Senate members of last year’s conference committee felt differently and said that not inserting the sunset would be backing out of the agreement.

In the compromise bill, the expiration date is included but would be pushed back a year to 2004.

Rep. Eric Lipman (R-Lake Elmo), the House sponsor of the revisor’s bill, said the agreement is a middle ground, requiring funds from settlements to be deposited into the general fund, while pushing the expiration date back one year.

Rep. Wes Skoglund (DFL-Mpls) opposed including the correction in the bill since not all members of the conference committee approved the compromise. The bill obviously contains policy changes if not everyone agrees with it, he said.

Lipman agreed, but he said the Senate was prepared to scrap the bill to get the change included.

Sen. Don Betzold (DFL-Fridley) is the Senate sponsor.

★ HEALTH

Clean air rule-making

The House passed an omnibus health and human services policy bill May 15 that would require legislative oversight of rules adopted by the Department of Health related to the Clean Indoor Air Act.

Sponsored by Rep. Kevin Goodno (R-Moorhead) and Sen. Linda Berglin (DFL-Mpls), the bill (HF3236/SF3099*) passed 113-17 after clearing the Senate 57-4 one day earlier. It now goes to the governor.

The measure, tucked into a largely technical bill authorizing changes to state health and human services licensure requirements, has been debated throughout the session.

It was the original nucleus of another bill (HF2625/SF3133*) that was broadened to include legislative oversight of all state agency rules. Conferees working on that bill have reached a compromise and the measure awaits a vote by the full House and Senate.

Supporters of the rule-oversight provision have argued that the Department of Health has misinterpreted legislative intent on the Clean Indoor Act and used rule-making authority to clamp down on businesses without

proper ventilation systems.

Rep. Marty Seifert (R-Marshall) said the department’s actions have burdened small restaurant owners who are faced with purchasing costly equipment to properly filter smoke.

Meanwhile, Rep. Phyllis Kahn (DFL-Mpls) said the measure would cripple the department’s efforts to improve indoor air quality.

Another key provision in the bill would permit a local fire code inspector to charge a daycare provider a \$50 fee for an inspection.

Some providers in Greater Minnesota have requested the measure because the state Fire Marshal has cut back on inspections due to budget cuts.

Opponents of the provision have said it’s unfair to daycare providers since other businesses don’t have to pay for the inspection.

★ RECREATION

Border changes

The governor signed a new law May 15 that re-shapes a number of state park boundaries.

Sponsored by Rep. Doug Peterson (DFL-Madison) and Sen. Don Samuelson (DFL-Brainerd), the measure passed the House 104-17 and the Senate 58-0, both on May 9.

Under the law, the Department of Natural Resources will be allowed to acquire permanent stream easements to improve fishing access and wildlife habitat.

The new law also calls for multi-use, dual treadway trails on the Casey Jones Trail near Pipestone in southwestern Minnesota and Cuyuna Lakes Trail in Crow Wing and Aitkin counties in northern Minnesota.

A number of state trails and parks gain acreage under the law, including Crow Wing State Park near Brainerd, Myre-Big Island State Park near Albert Lea, and Big Bog State Recreation Area in Beltrami County in north central Minnesota.

Meanwhile, the Big Stone Lake State Park in southwestern Minnesota near the South Dakota border will lose land.

The Richard J. Dorer Memorial Hardwood State Forest in southeastern Minnesota and the Pillsbury State Forest near Brainerd will also gain land.

The Cuyuna Country State Recreation Area under development about 15 miles northeast of Brainerd will both lose and gain acreage.

A number of counties will also be permitted to sell surplus, tax-forfeited, or trust lands, under the new law.

HF3025/SF2727*/CH366

**Signed
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governor**
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★ SAFETY

Anti-terrorism plan debate

Frustrated conferees met May 10 in hopes of working out differences between the House and Senate anti-terrorism packages but had little success in reconciling differences.

No public hearings occurred between May 10 and when this issue of *Session Weekly* went to press.

At the meeting Rep. Rich Stanek (R-Maple Grove), the sponsor of HF2622 and conference committee co-chair, expressed frustration that Senate members continued to propose increasing the 911 emergency telephone service fee by 25 cents for improved emergency management and communications. He said the plan would not have enough votes to pass in the House.

"You call it a surcharge, the House calls it a tax," he said.

The original House plan called for using \$22 million of the state's tobacco endowment money to fund the measures, but only \$13 million was set aside for anti-terrorism measures in the budget agreement that passed the House and Senate May 15.

Stanek and other members expressed frustration that the debate continues to drag on after more than one month of negotiations.

"There are 5 million people in Minnesota who are counting on us to do our job," he said.

Aside from differing ideas about how to fund the package, the two sides disagree about numerous other provisions in the bill, including a House plan to color code the driver's licenses of foreign people in the country on temporary visas.

Whether the committee would debate the two plans item-by-item or as an entire package took up most of the May 10 discussion.

House members wanted to pass provisions separately, but Senators at one point threatened to walk out unless the House presented a counter-offer as an entire package.

Sen. Jane Ranum (DFL-Mpls), the sponsor of SF2683, has the authority to set the next meeting time.

No 911 debt cancellation

A conference committee decided against erasing the debt of emergency call centers, which are facing increased costs due to enhanced service for mobile phones.

The provision, sponsored by Rep. Matt Entenza (DFL-St. Paul), was amended onto a 911 emergency services bill on the House floor.

The bill (HF2550/SF2392*), in its final form, was re-passed by the House 132-0 on May 13. The conference committee made no other changes to the bill.

The Entenza amendment would have used

\$31.8 million of state money. The funds also would have paid for additional equipment to develop advanced call locator systems and to meet the increased demand of calls, which have mostly come from mobile phones.

Sponsored by Rep. Mike Osskopp (R-Lake City) and Sen. James Metzen (DFL-South St. Paul), the bill makes several technical changes to 911 emergency services to reflect technological changes, such as wireless telecommunications.

It also makes several changes to streamline the process by which phone companies are reimbursed for 911 services, which will help small telephone companies.

"This allows small phone companies to cut through the political and administrative red tape even faster," Osskopp said on the House floor.

Under the plan, the Public Utilities Commission would be removed from the billing process. Currently, the commission signs off on payments from service providers who are being reimbursed for providing 911 services.

Additionally, the bill would require that the Department of Administration, which handles the reimbursements, to pay the invoices within 30 days, instead of 90 days, as is in existing law.

The Minnesota Telephone Association supports the bill.

The Senate also approved the conference committee report May 13 on a 56-0 vote. It now goes to the governor.

★ TRANSPORTATION

Dead-end road

As the 2002 session wraps up it appears time may have run out for a transportation finance package.

A House-Senate conference committee met May 10 but was unable to reach an agreement on how to pump more money into transportation. No public meetings were held between then and when this issue of *Session Weekly* went to press.

The original Senate bill (SF2812), sponsored by Sen. Dean Johnson (DFL-Willmar), would increase the gas tax by 6 cents and would have allowed for annual increases to provide \$5 billion over 10 years for transportation. It also called for a referendum asking voters in the 11-county Twin Cities metropolitan area to decide on a half-cent sales tax increase for transportation costs.

The House proposal (HF3364), sponsored by Rep. Bill Kuisle (R-Rochester), would not raise taxes. Instead, the state would borrow \$750 million in highway bonds from 2003 to 2008 to be repaid with increases in transportation funds.

A Senate offer proposed on May 10 would have included reducing the gas tax increase to 5 cents and dropping the yearly increase, but

House members refused the offer.

Kuisle, a conference committee co-chair, opposed the plan and questioned whether Republicans in the Senate would support it either.

The House responded by proposing a 3-cent gas tax increase, but that plan did not have enough support from House or Senate conferees to pass.

Johnson, also a conference committee co-chair, said he would not support a plan that didn't raise the gas tax by at least 4 cents. "I don't see how there can be any resolve without it."

The two sides also disagreed about transit funding.

The Senate plan would have set up a multi-modal fund that would be used to support transit across the state.

"Transit is more than just metro," Johnson said. "Transit is an important part of the future."

Kuisle said that the House is also concerned about statewide transit, but doesn't want to raise the gas tax to fund it.

Disclosing vehicle information

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governor
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A new law, signed by Gov. Jesse Ventura May 15, will allow limited access to motor vehicle records kept by the state.

Effective Aug. 1, 2002, the new law will allow the public safety commissioner to give people or organizations access to motor vehicle records if the information requested is related to the operation of a motor vehicle or public safety.

It will not change the law regarding driver's license records.

Under the law, the commissioner will have the authority to deny such requests if he or she feels the party asking for the information is likely to use the data for illegal, improper, or noninvestigative purposes.

Rep. Steve Smith (R-Mound), the House sponsor, said the law is a technical change that corrects what appears to be an oversight. A bill passed in 1996 changed state law regarding driver's license records to comply with federal regulations, but excluded motor vehicle records.

Media representatives have said such information is used for investigative reports, such as stories about chronic drunken drivers.

The federal Driver's Privacy Protection Act passed by Congress in 1994 protects the privacy of driver's license information and vehicle registration laws. That law allows states to grant 14 exceptions when information can be released.

The House approved the new law 124-0, while the Senate did the same on a 35-21 vote, both on May 9.

Sen. Don Betzold (D-Fridley) was the Senate sponsor.

HF2649/SF2448*/CH368

Unemployment assistance

Thousands of workers would receive extra benefits, long-term fund solvency addressed

By **THERESA STAHL**

The result of an eight-week debate between House and Senate conferees, mainly over deciding who should receive extra unemployment benefits, has been approved by both bodies and now moves to the governor.

"This bill is a compromise. Not everyone likes it," said Rep. Dan McElroy (R-Burnsville), co-chair of the conference committee and House sponsor of the bill. "We need to strike a balance between the short-term needs of Minnesota workers and the long-term need for the state to compete in a global economy."

The House passed the conference committee report to the bill 112-19 on May 16 and the Senate 48-14 on May 15.

Under the bill (HF3648/SF3431*), Farmland Foods Company workers, Fingerhut, Inc., workers in Greater Minnesota, and airline workers would receive a 13-week extension of unemployment benefits. In total, the workers could receive up to 52 weeks of benefits — 26 that state law permits for most workers, 13 from a federal extension, and 13 more from the state in this bill.

McElroy estimates the bill would cost nearly \$23 million and would serve about 10,000 people, adding that the original Senate proposal would have cost \$297 million. He said all employers would end up paying a little

more into the unemployment insurance fund, and that airlines would pay 100 percent of the benefit cost to their former employees.

The compromise includes a House provision to award a 13-week extension for laid-off Fingerhut, Inc., workers outside the Twin Cities metropolitan area, mainly St. Cloud and Eveleth. The Senate had wanted to grant extra benefits to all Fingerhut workers.

McElroy has maintained that the metro area can more easily absorb job losses than rural parts of the state. He said the House approved extra benefits for airline employees because many of the laid-off workers are mechanics who have skills that aren't applicable to many other jobs.

The House compromised to a Senate "fill-in" provision that would grant a full extension for several thousand laid-off workers that do not qualify for the 13-week federal benefits extension set to expire Dec. 31, 2002.

Some House members questioned the criteria used to determine who receives benefits, saying it's gone too far.

"If we keep changing the criteria, we may as well not have any criteria at all," Rep. Mark Buesgens (R-Jordan) said. He pointed out that the criteria was changed in 2001 to grant extra benefits for employees of LTV Steel Company's Hoyt Lakes plant when the

company went bankrupt.

McElroy said that Farmland meets the same criteria as LTV, because both have permanently closed. He also added that the bill includes specific findings that work lost as a result of an act of war or terrorism warrants extra benefits.

"What these people need the most are jobs," Rep. Arlon Lindner (R-Corcoran). "If the money stayed within community, how many jobs would be created?"

"I have thought of very little else but that question the last eight weeks," McElroy said. Along with striving for balance in the bill, he said he hopes people will get back to work faster.

Rep. Tony Sertich (DFL-Chisholm) praised the bill for addressing the solvency of the unemployment insurance fund, saying it will save money in the long run.

If the fund runs out of money, the state would borrow from the federal government, which would charge the state interest. Currently, the state has no good method to pay the interest, McElroy said, and the state will likely have to borrow at the end of 2002 or the beginning of 2003.

Under the bill, businesses would start paying on the interest sooner, spreading out the cost, and therefore reducing the total interest costs.

Also, the state's unemployment insurance fund would receive a boost in 2003, when the tax rate would jump from 0.1 percent to 0.38 percent for one year. The rate would take effect Jan. 1, but revenues would not come in until the end of the first quarter.

Under the bill, \$12 million would be transferred into the Workforce Development Fund to pay for a technology initiative project under the unemployment insurance program. The money is taken from a \$163 million 2002 federal grant to assist in unemployment compensation.

The bill also reflects a compromise on giving priority to the Minnesota Youthbuild Program to work on construction projects for early childhood and child protection facilities. Youthbuild helps at-risk youth gain job skills while working toward their high school diploma or GED and providing affordable housing to communities.

The bill would now require the involvement of Youthbuild if parties involved agree, heeding safety and skills needed, that using the workers would not increase the overall cost of the project.


Also, a Senate plan to establish a task force to report recommendations for workplace ergonomics standards is not in the bill. The House never heard the original bill. 



PHOTO ILLUSTRATION BY ANDREW VON BANK

A bill awaiting action by Gov. Jesse Ventura would extend unemployment benefits for workers from various Minnesota businesses that laid off employees either due to the economic slowdown or plant closings.

Success, then failure

Unicameral plan sent for a floor vote, but members send it back to committee, likely rendering it dead for 2002

By MICHELLE KIBIGER

After surviving three procedural moves, a bill that would provide for a one-house legislature lost a fourth motion and was returned to the House Governmental Operations and Veterans Affairs Policy Committee May 16, just a few days after being approved by the House Rules and Legislative Administration Committee May 13.

The bill (HF3722), sponsored by Rep. Ron Abrams (R-Minnetonka), is the second major unicameral proposal of the 2001-2002 biennium, though it has been actively debated since 1999, largely due to the strong support Gov. Jesse Ventura has lent to the plan.

Unicameral plans have been introduced in the Legislature for many years; however, none came as close to getting a floor vote as this one.

Earlier this session, another bill (HF2764), also sponsored by Abrams, was approved by the House Governmental Operations and Veterans Affairs Policy and State Government Finance committees, but failed in the House Ways and Means Committee on a 17-10 vote.

The bill would call for a constitutional amendment question to be placed on the November 2002 general election ballot. The question would ask voters to decide if the Legislature should have one house, comprised of 134 members, serving two-year terms.

In support of his motion to send the bill back to committee, Rep. John Tuma

(R-Northfield) said the unicameral idea is not the solution for Minnesota and may likely cause more problems than it fixes.

"I think I'm going to stand with the principle of how our government was designed to work," Tuma said. "This vote is clearly our statement that unicameral should die today."

Twice members of the rules committee tried to send the bill to another committee, saying that it should still be heard through that process. Abrams opposed the moves, both of which failed, saying they were merely procedural attempts to kill the bill.

"I know that this issue has been heard on a number of occasions," Abrams said. "The process that is being used here is a little bit unusual."

He said the issue is important enough, given the time left in the legislative session, to move it through the process quickly, particularly in light of the number of hearings it has already had.

However, the bill now must await a hearing in the governmental operations committee, which is unlikely at this stage of the session.

Abrams also said the way the Legislature has resolved outstanding issues shows a need for structural change. "The conference committee system, by its very nature, lends itself to a possible abuse of the system," he said.

Abrams main argument for unicameral was that the state has a history of restructuring the executive and judicial branches, but the legislative branch remains virtually unchanged from

its initial design in 1858. He also said that the checks and balances system is among the different branches of government, not within them, as often takes place under the current structure.

"The basic framework that was established in 1858 is the same," he said.

Members offered a number of opinions on the unicameral plan. Some, including Rep. Ted Winter (DFL-Fulda) argued that the two-house system allows certain ideas to be heard, even if a powerful committee chair in one house will not hear it, something you can't work around with only one house.

Abrams argued that the unicameral system will make voters more careful who they elect, since they will only send one representative to the Legislature, rather than two.

Ultimately, members argued that regardless of how they feel about the unicameral plan, it is appropriate for the voters to decide the structure of the Legislature.

Rep. John Dorn (DFL-Mankato) said there needs to be a high threshold for bringing issues to the people.

House Majority Leader Tim Pawlenty (R-Eagan), a co-sponsor of the new legislation, agreed that the threshold issue was a good one, but he contended that the Legislature would stir up debate, and should not alone decide issues that affect its structure.

"Who should decide whether half of us should lose our jobs?" Pawlenty asked. "Us or the people?"

Rep. Harry Mares (R-White Bear Lake) said he thinks that if placing the measure on the ballot provides education for the public about the Legislature, then it would be worthwhile.


"I think it's a good idea to involve the people," Mares said. "The debate we would raise in the state would be tremendous." 



PHOTO BY ANDREW VON BANK

Members of the House Rules and Legislative Administration Committee vote May 13 to approve a bill to ask voters if Minnesota should have a one-house legislature. It awaits action by the full House.

Good news, bad news

Budget reconciliation bill returns some human services and corrections proposals, delays payments of others

By SARAH MCKENZIE

House and Senate negotiators agreed to leave out a number of contentious health and human services provisions in the budget-balancing bill, including abortion language and an extension of welfare benefits.

The health and human services and corrections section of the supplemental budget bill (HF3270) would save the state about \$37 million by delaying payments to counties for social services programs.

The plan would spare many state services from cuts proposed by the House and did not include a Senate proposal to extend welfare benefits to a number of the families facing a five-year limit beginning July 1, 2002.

It would also restore funding for the Department of Corrections and the State-Operated Services (SOS) system, a network of regional treatment centers serving the mentally ill, chemically dependent, and disabled.

The bill calls for a one-time “buy back” of \$8.4 million for SOS and \$4.8 million for corrections to mitigate the impact of the hiring freeze included in the budget balancing law (HF351*/SF264/CH220) enacted in March.

Corrections and State-Operated Services would also be exempt from the statewide hiring freeze called for in the previously passed law.

Rep. Kevin Goodno (R-Moorhead), the lead House negotiator on the budget balancing bill and sponsor, called the measure a “good compromise,” but said it did “avoid some of the hard decisions” on heftier spending cuts.

Wes Kooistra, budget director for the Department of Human Services, said the agency was pleased with the bill, noting that previous cuts would have required trimming services to about 1,500 care recipients.

However, Kooistra expressed disappointment that the Legislature rejected the governor’s plan to consolidate a number of regional treatment centers that would have trimmed \$15 million a year from the department’s budget, he said.

The plan called for vacating the Ah-Gwah-Ching Center in Walker and portions of the Fergus Falls and Willmar campuses.

Many lawmakers, however, have expressed

support for maintaining those facilities. HF3270 calls for a study of strategies to consolidate the delivery of State-Operated Services.

When the House initially passed the second budget-balancing bill in March, it included a number of cuts to state economic assistance programs. All told, the proposed budget fix sliced \$61.6 million in health and human services and tapped \$325 million from the tobacco endowment to pay for programs.

The plan also included two contested abortion provisions: one requiring women to receive information about the procedure at least 24 hours before a scheduled abortion and another barring organizations that refer clients for

argued that they would place unreasonable burdens on women seeking abortions.

Gov. Jesse Ventura vetoed an omnibus health and human services spending bill in 2001 because it contained similar abortion language calling for “informed consent” 24 hours before a scheduled procedure.

The original House plan to balance the remaining budget deficit took the biggest cuts from health and human services programs.

The House proposal included limiting the availability of General Assistance and Emergency General Assistance — cash assistance programs — and raising the income limit for families on welfare.

It would have also consolidated General Assistance Medical Care into MinnesotaCare, yielding a net savings of \$37 million. Low-income Minnesotans receiving General Assistance Medical Care don’t pay premiums, like those covered by MinnesotaCare do.

Further, it would have halted a proposed expansion of children’s health insurance and

reduced family planning special project grants by 25 percent.

None of those items were included in the final agreement.

As for the Senate’s original proposals, House conferees opposed the extension of welfare benefits.

Goodno pointed to extensions already granted by the 2001 Legislature, which appropriated \$19 million to extend benefits to about 52 percent of the families expected to reach their 60-month

limit in fiscal year 2003.

HF3270 would provide extensions to welfare recipients who are victims of family violence.

But a number of DFL House lawmakers said the bill doesn’t go far enough for Minnesota’s poor families.

Rep. Karen Clark (DFL-Mpls) said the bill would shift the burden to counties and taxpayers to provide assistance for families who hit their benefit limit.

Goodno countered that the bill extends aid to the most “needy” recipients without undermining the state’s welfare reform effort. 🐼



PHOTO BY TOM OLMSCHIED

Rep. Kevin Goodno, right, co-chair of the budget balancing conference committee, talks with state Human Services Commissioner Michael O’Keefe prior to a May 13 hearing.

abortions from receiving state grants.

The Senate’s original plan to shore up the remaining \$439 million deficit relied on a cigarette tax increase and largely avoided health and human services cuts. The abortion language was not included in the Senate proposal.

Rep. Mary Ellen Otremba (DFL-Long Prairie), a member of the Health and Human Services Finance and Policy committees, offered the abortion amendments when the House bill was working its way through the committee process.

Otremba said her amendments were “pretty moderate requests.” Opponents, however,

Eager to serve

World War II era Legislature enacted laws to help with the war effort, under direction of Gov. Harold Stassen

By **BRENDA VAN DYCK**

The world was different when the 53rd Legislature convened on Jan. 5, 1943. Since legislators had last met in session in 1941, the United States had entered World War II.

In his inaugural address, Gov. Harold Stassen said, "This war session of our Legislature will be one of the most important in the history of Minnesota. It will determine the thoroughness of Minnesota's continuing support of the drive for complete victory. And it will lay the foundation for our important post-war problems on the home front."

The Legislature, which met once every two years at that time, responded with promises for quick action and laws to help the country in the time of war.

The plans enacted by the 1943 Legislature are not unlike some of the provisions being

discussed by the current Legislature in response to Sept. 11. Sixty years ago, lawmakers passed provisions expanding the governor's powers to respond during a time of emergency, provided extra benefits for soldiers, and provided an overall structure to protect the state and provide for its veterans.

Minnesota War Emergency Act

Stassen called for a war powers act, which would give the executive branch powers it would not normally have.

The law's language was broad. It granted the governor the power "to do all acts and things necessary for the protection of life and property in the State of Minnesota and to perform all acts necessary to apply the military, civil, and industrial resources to the state toward the defense of the state and nation and toward the successful prosecution of the war."



Photo courtesy of the Minnesota Historical Society

Chief Frank M. Whitney, *left*, and assistant chief John I. Levin of the legal bureau of the Minnesota Legislature confer in 1943.



Photo courtesy of the Minnesota Historical Society

Harold E. Stassen, *left*, Edward J. Thye, *center*, and Luther Youngdahl awaiting Minneapolis election returns in 1943. Stassen resigned as governor after the Legislature adjourned to serve the war effort in the U.S. Navy.

The bill created a six-member War Emergency Committee, made up of three House members and three senators. The committee was to act in conjunction with the governor in prosecuting the war. The act also created a Division of Civilian Defense, under the governor's direct supervision.

Responding to initial fears voiced by some that the bill would put too much power in the hands of the governor, legislators revised the bill so it limited the governor's power. It restricted the governor from the following: subpoenaing any person to appear before him or subpoenaing any records; seizing, condemning or appropriating property; and removing anyone from office in a way that was not already provided for in law.

The law was set to expire 60 days after the end of the war or July 1, 1945, whichever came first.

Assistance for soldiers

At the outset of 1943, Stassen advocated for assistance to veterans and for the state to be ready to rebuild in the postwar era.

The Legislature created the War Veteran's Fund, which provided up to \$250 per resident of Minnesota who served in the military between Dec. 7, 1941, and the end of the war. The benefits were limited to six months.

Relief was granted to military personnel from foreclosures of mortgages, judgments, and liens. Soldiers who owned real estate subject to these conditions were granted six more months after the war to settle the debt.

Minnesota residents who served in the military after Dec. 7, 1941, were allowed to deduct the first \$2,000 of military compensation from

gross income in computing state income taxes.

Military personnel who served outside of the United States for at least 90 days were given a six-month, interest-free extension to file taxes once they returned. The Legislature made this effective for tax year 1942 and subsequent tax years until two years after the war ended.

Department of Veterans Affairs

As a result of the war, the Legislature created the Department of Veterans Affairs, headed by a commissioner whose salary was set at \$5,000 per year.

In addition to ensuring services and benefits for veterans, the commissioner was charged with things like compiling and maintaining records for all Minnesotans serving in military expeditions back to the Civil War, and administering laws relating to the burial of veterans. The commissioner was given the responsibility of reporting the department's activities annually, information that would be available to the Legislature.

Governor goes to war

Legislators felt the keen effect of the war when Stassen received his orders to report to

service in the waning days of the session. When Stassen ran for his third term in 1942, he said that he would only serve through the 1943 legislative session, then go into active service with the U.S. Navy. Earlier in 1942 he had been commissioned as a lieutenant commander in the U.S. Naval Reserve.

Lt. Gov. Edward Thye became governor when Stassen resigned after the Legislature adjourned *sine die*. The governor signed the last of the year's bills on April 24, and reported for duty three days later. 🐼

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

1943 Legislature faced limitations on spending, excessive bill introductions, and a longer session than they planned

After the 1942 election, incoming legislators were eager to lay the groundwork for the 53rd session of the Minnesota Legislature.

A special committee was created by a caucus of members-elect of the House to look at ways the 1943 session could be expedited. The committee took action intended to facilitate the organization of the House so it could begin its work as early as possible, and decide on pressing matters related to World War II.

Early in the session, the House adopted the committee report, which advocated that:

- Committees give preference to bills dealing with war emergencies,
- Members restrain themselves from introducing "wild game claim bills which have no hope of enactment,"
- Members refrain from introducing bills that would reroute or create new trunk highways,
- The House limit spending in anticipation of decreased state revenue,
- The House not borrow money or create any new debt for purposes not connected to the war, and



The clock in the House chamber is covered to extend the time of the legislative session.

- The House make "every effort" to adjourn by April 1, so farmers could return home to start spring farming.

The report also established new House committees to deal with war-related issues. The committees focused on aircraft and airways; civilian defense, veterans' and military affairs; and reapportionment and unemployment compensation.

Despite intentions to adjourn early, the Legislature was locked in a battle over property and income taxes that extended the Legislature beyond its constitutionally mandated adjournment date of April 21.

To avoid the deadline and artificially extend its time, the Senate stopped its floor clock at 9:50 p.m. on April 21, and the House covered its clock with a thick piece of canvas. The two bodies then continued to work for another 48 hours.

Gov. Harold Stassen signed the final bills of the year, including a war powers act, three days before leaving to serve in the U.S. Navy on April 27.

(B. VAN DYCK)

Photo courtesy of the Minnesota Historical Society

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

Getting his release

Called a 'master legislator,' Bishop to end his two-decade obsession that saw the passage of more than 200 laws

By SARAH MCKENZIE

Rep. Dave Bishop, a 20-year veteran Republican lawmaker from Rochester, likens his affinity for public service to an addiction.

He must be addicted, he contends, or else why would he subject himself to the pain of losing arguments, listening to bad ideas, seeing bills fail, and sometimes offending friends when tempers flare during debate.

But Bishop, 73, has decided to kick the habit and retire from the House.

"I think that it is appropriate to announce that my 20-year term has been served and I can be released to the public," Bishop said May 9 on the House floor.

He has been an influential member of the body during his tenure, serving as chair of the House Ways and Means Committee, which is charged with fiscal oversight of legislation.

Bishop's legislative achievements include sponsorship of the sex offender community notification law, the living will, and the Minnesota Groundwater Protection Act, which has become a model for the nation.

The lawmaker has also taken heat from others in his party for his views on abortion — irking abortion opponents in 1995 when he proposed that men seeking vasectomies should face the same legal restrictions imposed on women seeking abortions.

In an emotional speech announcing his retirement, Bishop lauded the service of his colleagues and spoke out against cynicism.

"The altruism that the members of this body give to the benefit of Minnesota is so poorly appreciated," he said. "This is a wonderful institution. We honestly deal with each other. We deal with the issues honestly."

An outspoken critic of unicameral proposals, Bishop also urged members to keep the structure of the Legislature the same.

Following his speech, members from both sides of the aisle lined up to embrace and shake hands with Bishop.

House Majority Leader Tim Pawlenty (R-Eagan) said Bishop "really personifies the spirit of the institution in terms of the ability



PHOTO BY TOM OLMSCHIED

Rep. Dave Bishop will retire from the House after serving 20 years, representing parts of Rochester.

to reach out to members in a bipartisan way."

In jest, he asked Bishop if he would support "community notification" upon his release to the public.

Rep. Loren Solberg (DFL-Bovey), the DFL lead on the ways and means committee, was elected the same year as Bishop. The two have developed a close friendship and were roommates at Harvard when they were working toward their master's degrees.

"This institution is going to miss Dave," Solberg said. "He is not afraid to take the politically tough road."

Bishop said his focus while in office has been to "pass good law."

"Partisanship should not be the primary goal and driver," he said.

Bishop points to his success in passing bills as evidence of his effectiveness as a negotiator. He said he has pushed through more than 200, last time he counted.

In part, he attributes the achievement to spending a lot of time making sure his ideas will have traction in the Senate and being asked to serve on a number of conference committees.

From the beginning of his time in the House, Bishop said he has approached lawmaking with an eye toward improving bills regardless of partisan support. When confronted with a good idea presented in bad form, Bishop said he has worked to fix the bill by offering amendments.

Bishop uses a chess board analogy when describing the legislative process.

The board has three layers — one each for the governor, Senate, and the House, he says. On the Senate and House layers, there are black and white pieces for the majority and minority. The governor's pieces represent different proposals.

Each move, Bishop explained, affects the pieces on every level. Effective legislators need to understand the interconnectedness, he said.

Rep. Fran Bradley (R-Rochester) called Bishop a "master legislator."

"He applies the science and art of lawmaking with extraordinary skill," Bradley said. "But Dave Bishop will also be remembered for his often unpredictable character. Sometimes jovial, sometimes serious, sometimes charming, sometimes outrageous, but always a character."

Bishop, who retired from his law practice at 53, said his work as an attorney helped shape his approach to legislating.

As a lawyer he strove to settle cases, gaining the negotiation skills he is known for in the House.

"The skills of listening and persuasion are so important," Bishop said.

Rep. Dan McElroy (R-Burnsville), who sits next to Bishop on the House floor, called the legislator a "master deal maker."

"He's relentless, very smart, and focused," McElroy said. "He's a cantankerous but lovable curmudgeon." 🐢

STEPPING DOWN

Rep. Dave Bishop
Republican
District 30B—Rochester
Terms: 10

Career notes: Since being elected in 1982, Bishop has passed more than 200 bills, including the 1996 sex offender community notification law. Bishop has also served as chair of the House Ways and Means Committee.

Family comes first

Decision to no longer uproot his wife and children causes Clark to step aside

By DAVID MAEDA

Rep. James T. Clark's (R-New Ulm) daughters aren't old enough to understand what their father does for a living. When the two girls, ages 3 and 5, watch televised legislative proceedings they call the Speaker of the House "Mr. Sneakers."

"Every time they come to visit there's cake or dilly bars in the retiring room so they think daddy has it pretty good," Clark, 39, said.

Now due to family matters he has decided not to seek a third term in the House. Since his election in 1998, Clark's wife, Cara, and children accompanied him to live in St. Paul during the session.

"I just refuse to leave my home at 6 a.m. on Monday morning and show up again Thursday night at 10 p.m.," he said.



Rep. James Clark is stepping down after the 2002 session to spend more time with his family.

PHOTO BY TOM OLMSCHIED

His eldest daughter will attend kindergarten in the fall. The Clarks discussed options, such as home schooling and having the girls attend school part of the year in St. Paul. But ultimately they decided it was time to return home year-round.

"I've been saying all along that when our daughters reached school age, that our family was going to come to a crossroads," he said. "Per-

haps I didn't necessarily want to face that, but I knew it was a decision we'd have to make sooner or later. I woke up one day and it was sooner."

Rep. Wes Skoglund (DFL-Mpls), who served with Clark on the House Civil Law Committee, said it is unfortunate that the demands of being a legislator are costing the House Clark's services.

"The funny thing about this place is the very people that should be here, that have their priorities right... cannot be here," Skoglund said.

Clark won a special election in January 1998 to fill a seat that was left vacant after the death of Rep. Barb Vickerman (R-Redwood Falls). Vickerman died of cancer.

The memory of his late father inspired him to run for the House. After discovering a letter his father, a World War II veteran, wrote to President Reagan asking how he could further serve his country, Clark said becoming a public servant began appealing to him.

In a sense his father has continued to be with him every step of the way—he carries his father's military identification with him as a key chain.

"I'm reminded of my father when I walk over to the Capitol and I'm holding his dog tags and I know he'd be

very proud of what I've tried to accomplish over the last five years. But I know he'd be prouder of the decision I made to do what's right for my family," he said.

Clark said among his legislative accomplishments was sponsoring a law increasing the penalty for torture and cruelty to animals. He said studies have shown a clear link between those who are cruel to animals and those who

commit violence against humans.

He now plans to build his private law practice, as well as continue to serve as an assistant county attorney in Brown County.

Rep. Erik Paulsen (R-Eden Prairie), who sits next to Clark on the House floor, said his seatmate is "very bright and articulate."

"He's thoughtful and well-respected. He takes the position very seriously. In my opinion, if he was not leaving he would be future leadership material in the caucus," Paulsen said.

With daughters similar in age to Clark's, Paulsen said the two families have gotten to know each other outside the Capitol and will likely remain in touch.

Skoglund described Clark as a "thorough legislator" with a strength that may seem self-apparent: "He actually reads the bills."

He said Clark worked hard on complex issues like real estate laws that may seem boring but have a significant impact, and his preparation allows him to ask questions and suggest changes that ultimately improve the final product.

Upon his anticipated exit from St. Paul, Clark recalls his first speech on the House floor after being sworn in. He said three busloads of residents from his then hometown, Springfield, made the trip to witness the event.

"Part of what I said was the House of Representatives is a very important place. It's where we make laws that affect all of our lives. And I turned to my friends that were in the gallery and said, 'But please never let me forget that the most important house in my life is with my wife and children.' I've had a lot of people in the last couple of weeks, a lot of my friends, say 'Way to go, you were true to your word and you made the right decision.'" 🐾

STEPPING DOWN

Rep. James Clark
Republican
District 23A — New Ulm
Terms: 3

Career notes: Clark served as vice-chair of the House Transportation Policy Committee during 2001-2002 and also served on the transportation finance, civil law, and capital investment committees during his time in the House. Among his accomplishments, Clark noted laws that broaden the definition of child endangerment to include where drugs are manufactured and one that increases penalties for criminal sexual contact.

A well-worn path

Dibble plans to leave the House and pursue an open Senate seat, the same move his predecessor made in 2000

By LISA HILTON

After one term in the House, Rep. D. Scott Dibble (DFL-Mpls) hopes to continue serving, but this time in a different chamber.

Dibble, 36, recently received his party's endorsement and will run for the District 60 senate seat that will open when Sen. Myron Orfield (DFL-Mpls) steps down.

The idea of running for Senate is not new to the first-term legislator. When Sen. Allan Spear (DFL-Mpls) left the Senate in 2000, he encouraged Dibble to run. But when then-Rep. Orfield sought the seat, Dibble instead set his sights on the vacant House seat.

The political scene was nothing new to the freshman representative. Having worked for six years as an aide for Minneapolis City Council Member Dore Mead, and holding positions with several community groups, Dibble was accustomed to fighting for issues at the Capitol.

Seeing things from the other side has been an interesting and rewarding experience. Dibble said dealing with budget issues and the special session last year exposed him to the more colorful side of the Legislature.

"Some of my senior colleagues have told me I've seen quite a bit for a first-termer," he said.

Dibble admits that it was sometimes frustrating to be a member of the minority and not have bills heard, adding the Senate may provide new opportunities if a DFL majority remains after elections this fall.

He expects the more formal Senate to be somewhat different from the House.

"My perception of the Senate is that it's a little less taken with partisanship," he said. "I do think it will be a little more serious and maybe a little less fun. Things can get pretty interesting on the floor of the House."

A self-proclaimed "Air Force brat," Dibble was born in New York City and grew up in places such as Italy, Portugal, Bermuda, Texas, and Alabama, before moving to Minnesota when he was in middle school.

He attended Apple Valley High School,



PHOTO BY TOM OLMSCHIED

Rep. Scott Dibble is leaving the House after one term to pursue a Senate seat, being vacated by Sen. Myron Orfield, Dibble's House predecessor.

where he was a classmate of Rep. Chris Gerlach (R-Apple Valley), and later studied German and political science at the universities of Minnesota and St. Thomas.

Dibble said he enjoys knowing that those he represents are closely watching what he does. He said that he receives the highest number of contacts from constituents in the DFL caucus, and responds to each call personally.

"It's just a sign of how engaged the people in my district are," he said.

He is also proud of Minnesota's open Legislature, he said.

"It's very much an activist Legislature and very much an accessible Legislature," he said. "I think that's great. A lot of people over here aren't getting paid. It's not just hired-gun lobbyists."

Among the issues Dibble has fought for include affordable housing, transportation, airport noise reduction, and gay and lesbian issues.

Serving on the Local Government and Metropolitan Affairs, Ways and Means, and Transportation Policy committees, Dibble has supported plans to remove transit operation expenses from metropolitan property taxes, and he put a lot of work into an affordable housing bill during his first year in office.

Dibble, one of two openly gay House members, is also an outspoken critic of the House decision not to extend medical benefits to state employees' gay and lesbian partners.

Rep. Karen Clark (DFL-Mpls) who has worked with Dibble on a number of bills, said he has been a joy to work with.

"He is equally passionate about economic and social justice to rely on," she said. "I will miss him personally and as a very smart and strategic colleague."

Clark, who is a lesbian, said she has also enjoyed having a gay member to share feelings and ideas with.


"It's nice to have someone who shares the same values, concerns, and life experiences," she said.

Rep. Harry Mares (R-White Bear Lake), the sponsor of the Twins stadium bill, said he worked with Dibble on a number of bills, and fielded "some good, challenging questions" from him regarding the ballpark proposal.

"I've always found him to be very reasonable and very fair," he said. "He's a strong believer in his position."

If he wins the Senate seat, Dibble says he will stay in office as long as he is effective in getting things done for his constituents, but added, "I don't expect to be there forever."

Dibble said he would encourage his replacement to develop good relationships among colleagues and stay connected to the community.

"I believe strongly that public service is an honor, and an extremely rare honor." 

STEPPING DOWN

Rep. D. Scott Dibble
DFL

District 60B — Minneapolis

Terms: 1

Career notes: Dibble has fought for affordable housing, airport noise reduction, transportation, and gay and lesbian issues during his one term in the House.

Tracking new laws, vetoes

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

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

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

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

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

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

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
Res. 6	2681*	2469	Resolution supporting personnel responding to Sept. 11 terrorist attacks.	1/31	
Res. 7	3411	3207*	Resolution urging delayed termination of LTV pension plan.	2/27	
219	2698	2655*	Extending physical therapy board authority to adopt licensee ethics rules.	2/27	
220	351*	264	Omnibus budget balancing and appropriations bill.		2/25♦
221	97	58*	Changing terminology in statute of references to mentally ill.	2/27	
222	3049	3019*	Predatory offenders registration requirement expansion.	2/28	
223	1297	1471*	Municipal Board authority transferred to Office of Strategic and Long-Range Planning.	3/5	
224	2642*	2760	Mine inspector annual audit requirement modified.	3/7	
225	3116*	2822	Environment and Natural Resources Trust Fund provisions modified.	3/7	
226	2624*	2441	Shakopee Public Utilities Commission increased from three to five members.	3/7	
227	3148*	3025	Speech-language pathologist and audiologist registration requirements modified.	3/7	
228	2992*	2865	Occupational therapist temporary licensure terms modified.	3/7	
229	3062*	2839	Hennepin and Ramsey counties juvenile court judge term limits repealed.	3/7	
230	2748	2573*	Browns Valley school year start before Labor Day.	3/13	
231	2695*	2531	Minneapolis Firefighters Relief Association retirement provisions corrections provided.	3/13	
232	58*	389	Beer kegs identification and sales requirements.	3/13	
233	3190*	3111	Juvenile court data in statewide supervision system.	3/13	
234	2783*	2671	No-fault auto insurance residual liability coverage regulated.	3/14	
235	1189*	1376	Election of municipal council members provided after annexation.	3/14	
236	1620*	2210	Orderly annexation agreements strengthened.	3/14	
237	2987*	2873	Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	3/14	
238	3202*	2801	Delano Public Utilities Commission increased to five members.	3/14	
239	2629*	2913	Retired professional designation for Board of Architecture, et al. licensed retirees.	3/14	
240	3309*	3082	Nursing home licensed bed lay away authorized during moratorium projects.	3/14	
241	2637*	2472	Temporary town officeholders authorized in event of inability or refusal to serve.	3/14	
242	3344*	2892	Second Judicial District combined jurisdiction program authorized.	3/14	
243	3296*	3206	State employee Social Security administrative duties transfer.	3/14	

♦ - veto overridden by the Legislature

† - Filed without signature

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

CH	HF	SF	Description	Signed	Vetoed
244	1547	1495*	Omnibus agriculture policy provisions modifications.	3/15†	
245	2612*	2562	Licensed architect, et al. requirement circumstances revised.	3/15	
246	2899*	2711	Livable community demonstration account provisions modified.	3/21	
247	3584*	3302	Judgment calculation interest rate formulas modified.	3/21	
248	2813*	2803	Child care providers required to develop policies for reporting suspected child maltreatment.	3/21	
249	2766*	2475	Motor vehicle fuel franchise sale federal code compliance expiration date removed.	3/21	
250	3189*	3135	Street-sweeping vehicles defined as special mobile equipment for registration purposes.	3/21	
251	2742*	2757	State agency contested case procedures regulation provided.	3/21	
252	2531*	2381	Hospice care providers regulated, and criminal penalties imposed.	3/22	
253	3275	2932*	Citizen water quality monitoring encouraged.	3/22	
254	3133	2971*	State procurement competitive bidding for building and construction contract references codified.	3/22	
255	1097	1072*	"Grace" state photograph designation.	3/22	
256	3074	2834*	Steele County recorder appointment.	3/22	
257	3512	3258*	Garfield state land exchange.	3/22	
258	2652	2434*	Polk County recorder and auditor-treasurer appointment.	3/22	
259	2603	2627*	Optometrists and physicians contact lenses prescriptions regulated.	3/22	
260	3238	3115*	State energy efficiency installment purchases regulation provisions modified.	3/22	
261	3462	3080*	Funeral trust account provisions modified.	3/22	
262	3348	3136*	Workers' compensation provisions modified.	3/22	
263	2753	2590*	Carlton County recorder appointment authorized.	3/22	
264	2796*	2670	Minneapolis asphalt plant construction authority.	3/22	
265	2792*	2575	Appliance recycling required.	3/22	
266	3373	3045*	Fourth Judicial District domestic fatality review team pilot project extension.	3/25	
267	3362	3109*	Municipal police departments black patrol vehicles.	3/25	
268	2662	2611*	Interstate compact for adult offender supervision.	3/25	
269	1934	1030*	National crime prevention and privacy compact.	3/25	
270	94	222*	Game and fish laws gross overlimit violations penalties.	3/25	
271	2873	2578*	County human services and public health clients support programs.	3/25	
272	2993	2463*	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	3/25	
273	3263	3167*	Sex offenders civil commitment determinations data access authority.	3/25	
274	1413	1226*	No-fault automobile insurance full medical expense benefits entitlement.	3/25	
275	3276	3100*	Medical assistance reimbursement for tribal health services.	3/25	
276	3291	3124*	Nursing and board care homes resident reimbursement classifications provisions modification.	3/25	
277	3245	3126*	Health care and human services programs provisions technical modifications.	3/25	
278	3061	3117*	Metropolitan Council interceptor facilities continued use determination.	3/25	
279	2600	2419*	Child care programs wading pools public swimming pools regulations exemption.	3/25	
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27◆
281	2678	2768*	Medical assistance demonstration project provisions modified.	3/26	
282	3579	3073*	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	3/26	
283	2570*	2553	Automobile insurance damaged window glass claims payment basis modified.		3/26◆
284	3274*	3068	Military active service protections.	3/26	
285	2882*	3122	Electric personal assistive mobility device and roadway and sidewalk regulations.	3/26	
286	3078	2821*	Real estate brokers and salespersons regulatory provisions modifications.	3/26	
287	2664	2459*	Supplemental nursing services agencies registration criteria expansion.	3/26	
288	1885	2115*	Motor vehicle dealers surety bond requirements clarification.	3/26	
289	3091	2764*	Mentally retarded persons incidents and emergencies reporting standards modification.	3/26	
290	2932	2614*	Foster care placement communicable diseases disclosure requirement.	3/26	
291	3080	3055*	Metropolitan transit police provisions modifications.	3/26	
292	2757	2692*	Human services licensure.	3/26	
293	2889	2933*	Individual sewage treatment systems installation.	3/26	
294	2635	2550*	Special education services costs reimbursement.	3/26	
295	3222	2953*	Fire insurance excess coverage prohibitions.	3/26	
296	2933	2546*	Rockville and Pleasant Lake consolidation plan joint development required.	3/26	
297	2884*	2715	Motor vehicle excessive gross weight civil fine imposition modified.	3/26	
298	3196*	2966	State procurement law ethical provisions clarified.	3/26	
299	3205	2890*	Public works contracts regulated.	3/27	

CH	HF	SF	Description	Signed	Vetoed
300	3223	2793*	Out-of-state facilities for children with severe emotional disturbance certification plan required.	3/27	
301	2842	3244*	Evidentiary laboratory blood sample reports electronic signatures.	3/27	
302	3224	3034*	Hennepin County Medical Center cooperative purchasing authority.	3/27	
303	3240	2814*	Electronic voting authorized for cooperatives.	3/27	
304	2596	2673*	Child custody provided for by de facto custodians and third parties.	3/27	
305	3328	3278*	Driver's education organ and tissue donation instructions.	3/27	
306	3079	2697*	Real estate transactions disclosure requirements.	4/1	
307	3492	3315*	Insurance provisions modification; medical malpractice insurance joint underwriting assoc. issuance prohibition.	4/1	
308	3221	3145*	Military justice code revisions.	4/1	
309	3506	3084*	State and local government units auditing and reporting requirements modifications.		4/1
310	1224*	887	Medical response unit registration provided.	4/1	
311	2785	2542*	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	4/1	
312	3519	2675*	State agencies required to use cleaner fuels.	4/4	
313	2647	2569*	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	4/4	
314	2840	2580*	Criminal prosecution estoppel provisions modified.	4/4	
315	3169	2881*	Housing; municipal low-income housing authority specified.	4/5	
316	3076	2612*	Funeral procession escort private vehicle authorized to use flashing red lights.	4/5	
317	3029	2680*	Energy building code requirements changed in certain instances.	4/5	
318	3058	2739*	Cities additional liquor licenses; hotel rooms liquor cabinets hours of sale restrictions exemption.	4/5	
319	2706*	3076	Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided.	4/5	
320	3030	3322*	Metropolitan Council existing service capacity external use provided.	4/8	
321	3034	2949*	Background check public criminal history data expanded.	4/8	
322	2841	2533*	Criminal offenders county correctional services costs payment.	4/8	
323	2684	2678*	Natural Resources Department provisions modifications.	4/8	
324	3432	3352*	Dry cleaner environmental response and reimbursement.	4/8	
325	3209	3054*	Petrofund consultant and contractor registration period modifications.	4/8	
326	3464	3174*	Money Transmitter Act small business category created.	4/8	
327	1763	1811*	Public drainage systems jurisdiction transfer.	4/8	
328	1683	2150*	Technology circuits or systems contractors and power limited technicians.	4/8	
329	3125*	2987	Telecommunications access for communication-impaired persons program renamed.	4/8	
330	2988*	3023	Insurance licenses, fees, and coverages regulated; health care administration simplified.	4/8	
331	3497	3015*	Commerce Department insurance fraud prevention; crime of employment of runners.	4/10	
332	2719*	2827	Uniform Athlete Agents Act providing student athlete agent registration adopted.	4/10	
333	1517*	1443	Swimming pool requirements established for family day care homes.	4/12	
334	2835	3028*	National and community service commission nonprofit corporation creation.	4/12	
335	2735	2457*	Civil commitment standards modifications; mental health system report.	4/16	
336	2763	2592*	Mutual insurance holding companies reorganization to stock companies.	4/16	
337	3537	3288*	Firefighters interest arbitration decision provision expiration date extension under PELRA.	4/16	
338	3455	3380*	Postnuptial contracts provisions modifications.	4/16	
339	2751	2650*	Credit unions regulation provisions modifications.	4/16	
340	3445	3238*	Nonprofit neighborhood organization members directors election, voting right notice option.	4/16	
341	3193	2957*	Dentist practice violations reporting requirements.	4/17	
342	3257	2988*	Financial institutions detached facilities, charges and fees, and mortgage prepayment penalties regulated.	4/17	
343	2687	3075*	Motor vehicle sales tax payment for sales in violation of dealer licensing requirements.	4/17	
344	3393	3114*	Child support obligors limited driver's licenses and payment agreements.	4/17	
345	1524	1555*	Fertilizer use regulated.	4/19	
346	2935	2909*	Health maintenance organizations rural demonstration project authorized.	4/19	
347	2657	2540*	Probate property succession provisions modified.	4/19	
348	3048	2460*	Criminal penalties for persons who take responsibility for criminal acts provided.	4/24	
349	2473*	2807	Darlene Luther Anatomical Gift Act specifying intent and consent requirements.	4/24	
350	2525	2960*	Certain fireworks legalized; unpaid volunteer firefighting leave.	4/29	
351	2920	2674*	Omnibus game, fish, and forest bill provisions modifications.	4/29	
352	2618*	3373	Personnel not public data sharing authority.	5/1	
353	1359	2125*	Wildlife management areas land additions and ATV use regulations.	5/1	
354	3249	2998*	Certain alcohol and drug counselors licensing requirements waived.	5/1	
355	2970*	3010	Recreational motor vehicles use provisions modification.	5/1	

CH	HF	SF	Description	Signed	Vetoed
356	3509	3257*	Housing and redevelopment authority officers grant or loan eligibility.	5/1	
357	2492	2363*	Homeowners and automobile insurers credit scoring use restriction and regulation.	5/1	
358	2995	3168*	Walker authorized to maintain and operate state water tower at Ah-Gwah-Ching.	5/1	
359	2906	2568*	Hennepin County parking facilities and real property leases provisions modification and repeal.	5/3	
360	3443	3200*	Nonprofit environmental learning center insurance coverages regulated.	5/8	
361	3346	3026*	Interstate telemedicine services regulation.	5/8	
362	3359*	3005	Nurses protocol modifications.	5/8	
363	3379	3384*	Campaign finance and public disclosure law provisions modified.	5/9	
364	3199	3298*	Transportation provisions modifications.	5/9	
365	2573	2707*	Real estate task force funding provisions modification and clarification.		5/15
366	3025	2727*	State park and recreation area land additions and deletions.	5/15	
367	2710	3246*	Telephone solicitation calls regulation.	5/15	
368	2649	2448*	Motor vehicle registration records personal information disclosure.	5/15	
369	3719	3463*	Pesticides application prohibition exceptions (gypsy moth bill).	5/10	
370	3200*	3155	Dentist and dental hygienist guest licenses and dental assistant guest registration established.	5/15	

BILL INTRODUCTIONS

MAY 10 - 16, 2002

HOUSE FILES 3727 - 3734

Monday, May 13

HF3727—Rhodes (R)

Education Policy

Web-based program pupil unit calculation and Web-based study reimbursement appropriation availability provided.

HF3728—Clark, K. (DFL)

Governmental Operations & Veterans Affairs Policy

Investment of state and retirement funds in predatory lenders prohibited.

Tuesday, May 14

HF3729—Clark, K. (DFL)

Health & Human Services Policy

China; governor memorialized by resolution to convey the concerns of the people of Minnesota regarding human rights abuses committed by the government of the People's Republic of China.

HF3730—Clark, K. (DFL)

Commerce, Jobs & Economic Development Policy

Consideration of lending practices permitted in designation of depositories of public funds.

HF3731—Mullery (DFL)

Taxes

Capital gains tax imposed on qualified sales or exchanges of franchises.

Wednesday, May 15

HF3732—Seifert (R)

Higher Education Finance

University of Minnesota previous appropriation reduction increased.

HF3733—Clark, K. (DFL)

Commerce, Jobs & Economic Development Policy

State and local government authority to protect the public interest urged by resolution relating to international trade agreements.

HF3734—Seifert (R)

Governmental Operations & Veterans Affairs Policy

State agencies allowed to contract printing services with the Department of Administration only through competitive bid.

Continued from page 4

Tax portion

The House and Senate later passed tax-related provisions of the budget agreement in another bill (HF2498). Sponsored by Rep. Ron Abrams (R-Minnetonka) and Sen. Lawrence Pogemiller (DFL-Mpls) it passed the House 129-4 and the Senate 63-0. It is now on the governor's desk.

Abrams said many of the provisions make corrections to the 2001 omnibus tax law, including one that would return bakery goods made by the seller to the list of items not subject to sales tax.

As part of the state's participation in an effort known as the Streamlined Sales Tax project in 2001, the definition of prepared food was

changed. Specifically, prepared food included baked goods made by the seller, which affected a number of grocery-store based bakeries. The bill would exempt bakery items made by the seller, unless they are served with eating utensils.

Much of the House discussion of the tax provisions centered on a local provision that would allow cities in the St. Cloud area to impose local sales and use taxes to fund the regional airport. State law requires the Legislature to authorize imposition of local sales taxes.


Abrams said he reluctantly went along for two reasons — his desire to develop alternatives to paying for regional airports with property taxes, and the need for economic development assistance with the closing of the Fingerhut plant.

Two years ago St. Cloud voters approved a

sales tax to fund airport, library, and road improvements and park and trail needs.

Rep. Dave Bishop (R-Rochester) expressed disappointment that the city of Rochester was not granted similar authority.

Another provision would change the income tax reciprocity arrangement between Minnesota and Wisconsin. The bill would allow the interest on income tax payments from Wisconsin residents working in Minnesota to accrue beginning on July 1 of the tax year. The Senate and Ventura had proposed eliminating the reciprocity agreement altogether.

The agreement would terminate if Wisconsin does not agree to the payment of interest by Oct. 1, 2002. 

Minnesota Memorials



Leif Ericson

In a park just west of the State Capitol stands a 13-foot tall statue of Leif Ericson. Appropriately, the statue faces west.

Sculpted by John Daniels, the bronze statue was dedicated on “Leif Ericson Day,” Oct. 9, 1949. It was restored in 1996.

The son of Erik the Red, Ericson (also spelled Erickson, Ericsson, Erikson, and Eriksson in different reports) was the first European to set foot in North America in 1000 A.D. Ericson’s discovery signaled the opening of a new land rich with resources for the Vikings to explore.

After his father was banished from Iceland for killing another man, the family settled in what is now Greenland.

Following a round-trip voyage to Norway, Ericson became restless and decided to find lands to the west that Bjarni Herjulfsson had previously seen from a distance in 986 when, thanks to a fierce storm, his ship was blown off course while attempting to return to Greenland from Iceland.

Accounts differ on the details of Ericson’s voyage, but the most common belief is that Leif bought Herjulfsson’s ship and set sail with a crew of 35 men. They first landed at a site that was all rock, believed to be Baffin Island, then traveled south to the eastern coast of Canada, before settling for a winter in what is now L’Anse aux Meadows in Newfoundland.

On his return trip to Greenland, Ericson came upon a wrecked trading vessel whose crew he rescued. He was given the entire cargo and the nickname “Leif the Lucky.”

Ericson never returned to the new land, but his sister did, along with a small group of settlers who were killed by natives. His brother was later killed while exploring the new land.

A joint resolution approved by Congress on Sept. 2, 1964 officially established Oct. 9 of each year as Leif Ericson Day to commemorate the first arrival of a European in North America.

(M. Cook)

Reflections

One of the few spaces left unfinished when the Capitol was completed in 1905 was a large area located on the ground floor, beneath the Rotunda.

The area is now Room 15, the largest Senate committee room in the building. It seats 33 members around a circular table and has 120 seats for the general public during a regular committee meeting.

This is where much of the budget shortfall conference committee proceedings took place, in front of standing room only crowds.

A long negotiation table was placed in the middle for 10 lawmakers to be directly in front of each other

as they tried to reach agreement on funding for some programs, financial cutbacks for others, and whether to increase taxes on cigarettes.

Before it was a hearing space, Room 15 went through many changes.

Early on, the space was informally called “the crypt.” In the 1994 *North Star Statehouse*, Thomas O’Sullivan quotes from a 1907 Minnesota State Capitol Guidebook that when an individual walked across the floor where Room 15 now is, only that person heard the echo that sounded like someone was following them.

A document on ground floor alterations supplied by Carolyn Kompelien, director of the Capitol historic site program, notes that the Division of Motor Vehicles moved in and made the area an office and storage space around 1940.

Once the new transportation building was completed to the southwest of the Capitol and the license bureau moved from its ground floor space in 1958, a

portion of the space was further adapted for several small offices and storage areas with plywood partitions for the Minnesota Benefit Association. The area was also utilized as food storage space for “Louie’s Lunch” kitchen.

But architect Cass Gilbert’s total vision for the building was always kept in mind. Design and color was added along the hall-

way walls by adding portraits of former governors from 1951 to the present in areas planned for that purpose.

From 1907 to 1968, planners did not pay as much painstaking attention to the ground floor area as the rest of the build-

ing, yet Gilbert’s basic themes were not hidden.

The thick glass star motif, on the floor of the Rotunda upstairs, was maintained as a reminiscence of northern ice and the four directions of the state. It continued to serve from below as the ceiling for the vault-like area of the room.

Also, the original Minnesota Kasota stone walls remained in place as adornments that served as a basic plan for constructing Room 15 in 1968. New doors, carpeting, lighting, ventilation, and other details were added as the number of lawmakers increased and the Senate needed more space. It was remodeled with other amenities added in 1975 and 1984.

The 2002 budget conferees have now added new memories to the Capitol’s original ground floor that someone, someday may once again write about.

—LECLAIR GRIER LAMBERT



Room 15 in the Capitol.

Where to find information

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175 State Office Building
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MAJORITY LEADER: TIM PAWLENTY
MINORITY LEADER: THOMAS W. PUGH

MINNESOTA INDEX

Minnesota housing

Number of housing units gained in state during the 1990s	217,501
As percentage gain	11.8
Expected household gain in the Twin Cities metropolitan area from 2000 to 2030	460,000
Percentage of Minnesota homes that were owner-occupied in 2000	74.6
In 1990	71.8
Percentage in West Virginia (only state higher)	75.2
National average, as percent	66.2
In 1990	64.2
County with greatest percentage of homeownership (Chisago)	87.1
Lowest percentage (Ramsey)	63.5
Percentage of Minnesota housing units that were vacant in 2000	3.3
National ranking	1
Percentage of vacant Minnesota housing units in 1990	5.5
County with the highest vacancy rate, excluding seasonal housing (Kittson), as percent	15.3
Lowest (Anoka), as percent	1.3
Minnesota rental vacancy rate, in 2000, as percent	4.1
Percent in 1990	7.9
County with the highest rental vacancy rate (Traverse), as percent	17.1
Lowest (Anoka), as percent	1.7
Number of counties where the vacancy rate increased in the 1990s	19
Average number of people in a Minnesota household, in 2000	2.52
In 1990	2.58
Number of seasonal housing units in state	105,609
National rank	11
County with most seasonal housing units (Crow Wing)	10,257
Median selling price of existing Minnesota homes between January 1999 and September 2000	\$124,500
Percent increase from 1998-99 numbers	10.7
Percent increase in housing sales prices statewide since 1989-90	78
Increase in Consumer Price Index from 1989-90 to 1999-00, as percent	33
Median sale price in Carver County (state's highest)	\$171,000
In Kittson County (state's lowest)	\$29,000
Affordable house price for a family in the Twin Cities metropolitan area with an annual income of \$74,700 in 2001	\$223,488

Source: *Minnesota Housing in 2000*, Minnesota Planning, August 2001; *Study of Inclusionary Housing Initiatives*, Report to the Minnesota Legislature, Minnesota Housing Finance Agency, February 2002.

FOR MORE INFORMATION

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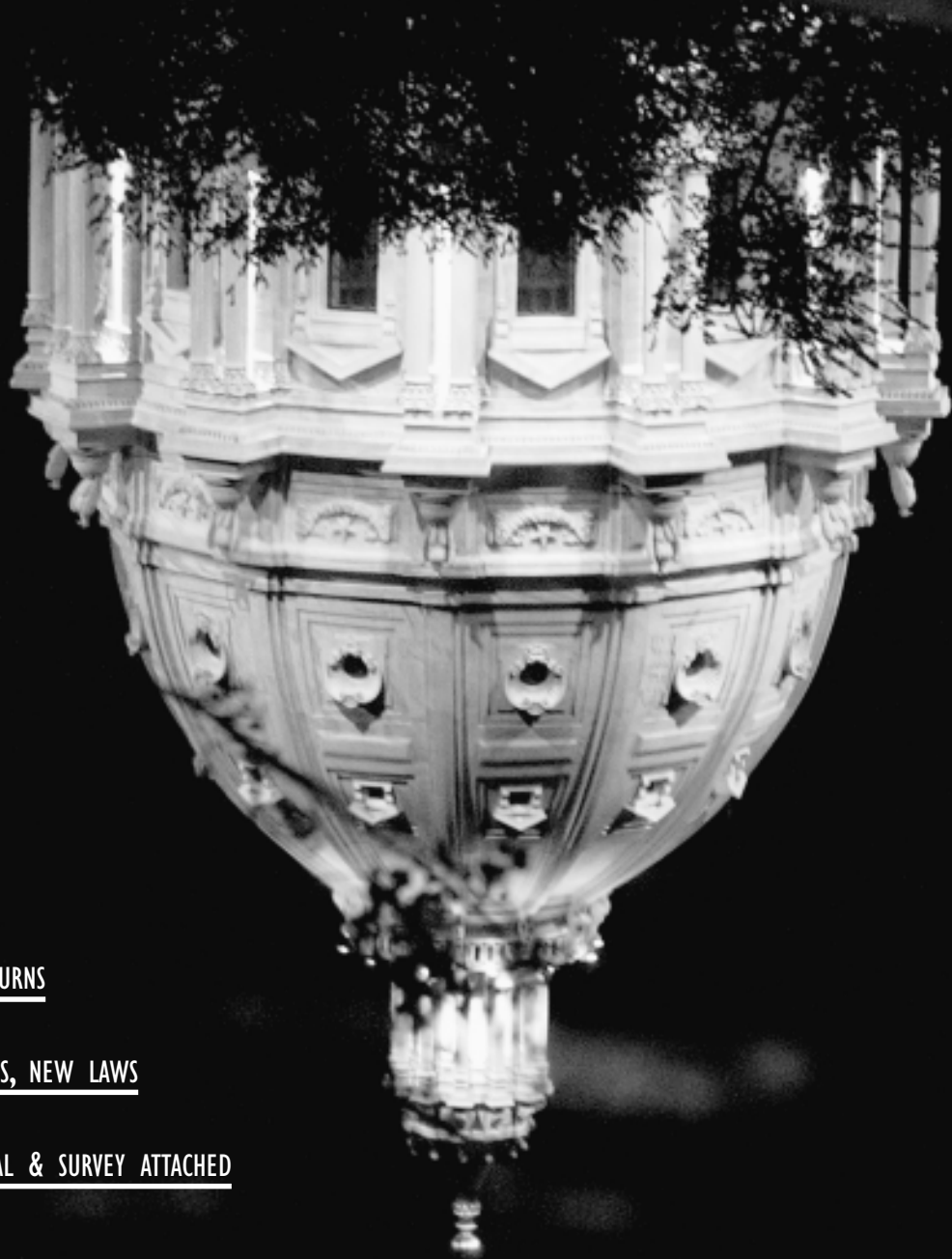
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LEGISLATURE ADJOURNS

BONDING PROJECT VETOES, NEW LAWS

FINAL 2002 ISSUE-RENEWAL & SURVEY ATTACHED

HF3735-HF3741

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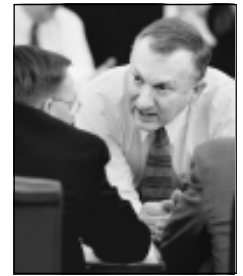
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At Issue: Budget — The Legislature overrode the governor's veto of the second budget-balancing bill before adjourning. The governor allowed the second piece of the budget plan, a tax policy bill, to become law without his signature. • 38, 39

At Issue: Recreation — The House, Senate, and governor all approved a funding plan for a baseball stadium for the Minnesota Twins. • 40

At Issue: Safety — The last item of business before the House adjourned was passing an anti-terrorism plan, which the governor signed into law. • 42

People — Rep. Peggy Leppik (R-Golden Valley), is leaving the House after six terms. • 43

People — Rep. Rod Skoe (DFL-Clearbrook) is leaving the House to pursue a seat in the Minnesota Senate. • 44

People — Rep. Wes Skoglund (DFL-Mpls) will run for Senate this fall, after 13 terms in the House. He was paired in the same district with Rep. Jean Wagenius (DFL-Mpls). • 45

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On the cover: The State Capitol is mirrored on the Minnesota Vietnam Veterans Memorial reflecting pond on the final night of the 2002 session, May 18.

—Photo by Tom Olmscheid

Bidding adieu

House members pack in votes on significant issues and say farewell in the final hours of the 2002 legislative session

BY SARAH MCKENZIE

The House adjourned shortly after dawn Sunday, May 19, ending a nearly four-month legislative session that saw resolution of a \$2.3 billion budget deficit and compromise on bonding, anti-terrorism, and a new Twins stadium package.

The motion to adjourn *sine die* came at 5:45 a.m. after weary members cast final votes on a bill

bolstering the state's ability to respond to a terrorist attack and a \$979 million bonding bill funding capital improvement projects statewide. Both passed by wide margins.

But before leaving St. Paul for the year, representatives also took nearly two hours to hear from their departing colleagues and honor their service to the House of Representatives.



House and Senate conferees negotiated through the night and into the morning to bring the anti-terrorism bill before both bodies. The measure — narrowed in scope by conferees — would appropriate \$13 million to equip and train the state's first responders.

The 15-hour marathon House floor session, which began around 3 p.m. May 18, also dealt with the passage of a new \$330 million Twins baseball stadium package calling for a \$120 million commitment from the team and other private sources. An override of Gov. Jesse Ventura's veto of the second budget-balancing bill, which plugged a \$439 million deficit, also passed.

Leaders of the Republican-controlled House credited lawmakers with finding a solution to the budget problem without cutting aid to state priorities or raising taxes.

"It was a challenging and difficult process, but we were able to balance the state's budget for 2002-03 without causing harm to our schools, nursing homes, or local governments," said House Speaker Steve Sviggum (R-Kenyon). "More importantly, we did it without adding an extra burden on working families like the Senate and governor proposed to do with their tax increases."

House DFLers predicted this year's budget fix might bring headaches next session.

"This year's budget is balanced, but not next year's," said House Minority Leader Tom Pugh (DFL-South St. Paul). "That means we'll have to do it all over again next January — and damaging cuts to education and local government aid remain a possibility if the economy fails to substantially improve."

DFL lawmakers also lamented inaction on transportation. A House-Senate conference committee failed to reach a compromise on the issue this year.

The House had proposed selling \$750 million in highway bonds to pay for road improvements while the DFL-controlled Senate had originally pushed for a 6-cent gas tax increase to fund \$5 billion for transit and highway improvements.

House and Senate negotiators exchanged offers but failed to find middle ground.

While the parties sparred on a number of issues, legislators did work in a bipartisan way to ensure their work on the budget deficit was veto-proof, effectively cutting the Independence Party governor out of the process.

Throughout the session, Ventura criticized the Legislature's approach to squaring the state's books. He vetoed the budget plan because he said it contained accounting "gimmicks."

The governor characterized the legislative session as "not very courageous" during a May 18 press briefing.

Ventura had proposed a combination of spending cuts and tax increases in January to plug what was then an estimated \$1.95 billion



PHOTO BY ANDREW VON BANK

House Speaker Steve Sviggum brings down the last gavel of the 2002 session. The House adjourned *sine die* at 5:45 a.m. May 19.

budget deficit. The plan included increases on gas and cigarette taxes, and extending sales taxes to newspapers, legal services, and automobile repairs, among other things.

The Legislature wiped away the budget deficit in two phases — both enacted by overrides of gubernatorial vetoes.

The first budget-balancing law, which took effect March 1, erased \$1.95 billion of the shortfall by tapping reserve accounts and making one-time and permanent spending cuts. The second supplemental budget law largely eliminated the remaining \$439 million deficit through accounting shifts, such as delaying payments to school districts and counties. The latter amount was revealed in the February forecast, released about the same time the first law was enacted.

The final House floor session opened with consideration of a bill modifying pension plans for police, firefighters, teachers, and other public employees. It passed 118-9.

Members later engaged in a debate on a new Twins stadium package. Supporters argued the bill was vital to keeping the team in Minnesota while opponents contended it would not necessarily guard against a proposed contraction.

It narrowly passed 72-61.

Then, following an evening recess, members garnered the two-thirds majority needed to override the governor's veto of the second budget-balancing bill. The vote was 95-38.

The next major issue was a bioterrorism bill that had stoked considerable debate earlier in the week. House-Senate conferees revised the

measure, known as the Minnesota Emergency Health Powers Act, to alleviate concerns it would infringe on civil liberties and trigger emergency powers for events unrelated to bioterrorism.

It passed by a wide margin, 117-16.

After hearing a couple of other bills, members took a lengthy recess, returning around 5 a.m. to consider the anti-terrorism bill.

The sleep-deprived members did not engage in much debate and moved rather quickly to pass the bill, 106-27.

The same was true for the bonding bill. It passed 102-31.

Ventura signed the bioterrorism, anti-terrorism, pension, and stadium plans May 22. He signed the bonding bill that day, as well, but line-item vetoed nearly \$334 million in general obligation bonding projects.

With the agenda cleared, the exhausted body approved a motion by retiring member Rep. Dave Bishop (R-Rochester) to adjourn *sine die*. House leadership had sought to end the session in March, but a protracted debate on the budget deficit, transportation, and a number of other high-profile bills pushed the session well beyond that informal deadline.

The constitutional deadline for session adjournment fell on May 20, but lawmakers may not pass bills or override vetoes on that day, prompting the weekend session.

The House is scheduled to reconvene at noon Jan. 7, 2003.

After adjourning, members turned to retirement speeches. Several representatives rose to bid farewell to their colleagues. Many have decided to step down to run for other public offices or because redistricting placed them in new, unfamiliar districts.

Rep. Carol Molnau (R-Cologne), who is leaving the House to run for lieutenant governor, said she didn't need glasses or have gray hair before she was elected.

In an emotional speech, she said, "Some of you are friends, some of you, OK, you're not. I thank you all."

Reflecting on her time with the House, Rep. Roxann Daggett (R-Frazee) recalled attending her first Republican caucus in the eighth grade.

"I never thought I would be one of those legislators I was so excited to meet," she said.

Rep. Andy Dawkins (DFL-St. Paul) said he appreciated having a "job where compassion counts."

"Lots of people make this place shine," said Dawkins, who is leaving to spend more time with his family. "I'm still in awe of having the title of member of the House of Representatives."

Rep. Mike Osskopp (R-Lake City), who is retiring because redistricting placed him in a new district, spoke highly of the spirited nature of the institution.

"Ideas are worth fighting for," he said. 🐼

Attention Session Weekly subscribers!

Attached to this issue is the annual *Session Weekly* renewal and readership survey. Please take the time to review and return the information on the back cover. We are pleased to offer several convenient formats you can choose from to renew your subscription for next year and submit your comments about the magazine. You can reach us through mail, via fax, or online. Your continued interest and feedback is important to us.

Last year we changed the procedure so that you would not have to tear out the last page of the magazine. We received a large amount of positive feedback from readers saying you appreciated the new format. However, the House has determined that due to budget cuts, we are not allowed to provide last year's format this year. We apologize for any inconvenience.

To provide readers with greater flexibility, we are pleased to offer several options for renewing.

1. Tear off the back page, check the appropriate box, fill out the survey, and **mail** it in.

OR

2. Fill out the form and **fax** it to us at (651) 297-8135.

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- Please take a minute to fill out the Readership Survey.

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NOTE: You must renew your subscription each year. Postal regulations and costs require us to rebuild the subscription list annually.

New Laws 2002

We will be offering a Web-based version of our annual New Laws publication this year. The House has decided not to print a paper version for distribution due to budget constraints. New Laws 2002 will be available on the House Web site by August 2002.

If you would like to receive an e-mail notifying you when new House Information publications — including New Laws 2002, news releases, and other information — are available, please sign up for the House Information news listserv at <http://www.house.mn>.

Thank you!

★ EDUCATION

Profile stays in place

The House rejected a conference committee report on a bill related to legislative oversight of state agency rules May 17, sending it back to committee and effectively killing the measure for 2002.

House Majority Leader Tim Pawlenty (R-Eagan) made the motion after he criticized the report for lacking a provision that would repeal the Profile of Learning, the state's graduation standards. The motion passed on a 113-17 vote.

In April the House adopted an amendment to the bill (HF2625/SF3133*) calling for the repeal on a 109-22 vote.

"This chamber has spoken loudly and clearly," Pawlenty said. "(The bill) fails to deliver any reform."

The six-member conference committee leaned toward abolishing the Profile of Learning, but two Senate conferees, Sens. Larry Pogemiller (DFL-Mpls) and Sandra Pappas

(DFL-St. Paul) objected. A majority of conferees from each body must agree on the content of the report.

Sponsored by Rep. Marty Seifert (R-Marshall) and Sen. Dan Stevens (R-Mora), the bill, as modified by the conference committee, would require that Health Department rules related to the Clean Indoor Air Act be approved by the Legislature enacting them as state law. The same provision is included in a new law signed by the governor May 18.

Furthermore, the measure would have allowed school districts to offer students with limited English proficiency an additional testing opportunity to meet the state's graduation requirements for writing.

Rep. Gene Pelowski, Jr. (DFL-Winona), one of the House conferees, criticized the compromise reached by the committee.

"The public school system will continue to sink under the weight of the graduation rule and Profile of Learning," said Pelowski, a teacher at Winona Senior High School.

Reps. Phyllis Kahn (DFL-Mpls) and Betty

Folliard (DFL-Hopkins) criticized the measure for crippling the Health Department's ability to improve indoor air quality by restricting smoking.

Seifert has argued that the department's rules have placed a burden on small business owners who are faced with purchasing expensive air filter systems.

Marriage effort annulled

House members voted 66-64 to defer discussion on a bill that would require students in health class to study sexually transmitted diseases (STDs) in the context of marriage. The motion essentially killed the measure for the year.

The vote was taken in the final hours of the session, just after 12 a.m. May 19. The bill (HF2660) is sponsored by Rep. Sondra Erickson (R-Princeton).

One of the few education-related bills this session, a number of amendments — from eliminating the Profile of Learning to releasing by a certain date student results on basic skills tests — were piling up. Members questioned the relevance of some of the amendments to the bill.

Rep. Mike Jaros (DFL-Duluth) pointed out the bill had no Senate companion and suggested there was other more important business at hand.

The bill is rather brief, only adding the words "and educating students on the value of marriage" to a section of law that says the program must include comprehensive curriculum that would help students "abstain from sexual activity until marriage."

The bill was reduced from its previous form, which included program requirements for discussing the effects of sexual activity outside of marriage, and to teach that "...marriage is the foundational social institution in society."

High school students who testified at a committee hearing earlier in the session said the physical and emotional effects of sex outside of marriage were never discussed in health class.

★ ENVIRONMENT

No dedicated tax funds

A proposed constitutional amendment dedicating a portion of the state sales tax stream to the environment died in the House K-12 Education Finance Committee May 17 after the House sponsor pulled it from consideration by the panel.

Rep. Mark Holsten (R-Stillwater) accused House DFL lawmakers of being disingenuous

for offering amendments to the bill (HF1671), including setting aside similar dedicated funds for the state's public schools and early-childhood education.

Meanwhile, DFL legislators responded to Holsten's charge by arguing they wanted other "under funded" state priorities to receive similar treatment in the state constitution.

Holsten's bill would tap three-sixteenths of 1 percent of taxable sales in the state for conservation programs, parks and trails, and zoos. Officials expected it would have generated \$129 million in 2006 and sunset 20 years later.

To become law, a majority of voters would have had to approve the measure in the fall.

The bill was amended in the House State Government Finance Committee to include a dedicated fund for an education excellence fund. It also made stops in the House Taxes and House Governmental Operations and Veterans Affairs Policy committees.

Rep. Mindy Greiling (DFL-Roseville) offered an amendment to the bill in the K-12 Education Finance Committee that would have created a similar early childhood fund.

Greiling argued that while the state's public schools are well represented by a variety of special interest groups, the state's "youngest kids are powerless."

Holsten later withdrew his bill from consideration and the committee adjourned without voting on the amendment.

The committee debate also centered on whether creating dedicated funds is sound public policy.

Rep. Mark Olson (R-Big Lake) said lawmakers shouldn't mislead voters to believe that funding for the priority areas will increase. The education account would likely just shift money around in the general fund, he said.

Greiling also spoke out against the practice, saying, "Why don't we just appropriate the money instead of cobbling up the constitution with more dedicated funds."

Holsten said that the environment falls low on the legislative budget hierarchy and relies on dedicated funds to compete. He pointed out that 1.4 percent of the state's budget goes toward the environment.

An attempt to advance a companion measure in the Senate (SF1589), sponsored by Sen. Bob Lessard (Ind.-Int'l Falls), was defeated May 18. Lessard's motion to suspend the rules and take a vote on the floor failed 44 - 21.

★ TRANSPORTATION

Funding plan dies

Despite hours of conference committee meetings and numerous proposals from each side, House and Senate conferees could not

EAGLE-EYE VIEW



PHOTO BY ANDREW VON BANK

Tired members, staff, and lobbyists mill around the Capitol Rotunda area during a House recess in the wee hours of May 19, as the session drew to a close.

come to an agreement on transportation funding, and the bills died with the end of the 2002 legislative session.

Led by conference committee co-chair Rep. William Kuisle (R-Rochester), House members proposed a plan (HF3364) that borrowed \$750 million for five years beginning in 2003 to pay for road construction projects. The money would have been paid back with increases in current transportation funds.

The Senate plan (SF2812) called for a 6-cent increase in the gas tax to generate about \$5 billion over the next 10 years. That plan, sponsored by Sen. Dean Johnson (DFL-Willmar), would have included a yearly increase in the gas tax, and would have set aside more money for transit across the state.

In addition, the Senate plan would have called for the 11-county Twin Cities metropolitan area to vote on an additional one-half cent sales tax increase to be used for transportation projects.

Many businesses and organizations around the state kept a close eye on the transportation funding packages. For the first time, the Minnesota Chamber of Commerce joined with the Minnesota Transportation Coalition, a group of about 200 organizations and business interests, to support the Senate's plan for a gas tax increase.

At one point during negotiations, Kuisle offered a plan to accept a 3-cent gas tax increase, but that plan didn't gain support from House or Senate conferees.

Senate members insisted that a gas tax increase would have to be at least a nickel to do any good, while House members argued that any plan to increase the gas tax wasn't likely to pass the House, especially in an election year.

The conference committee did not meet during the final nine days of the session.

Editor's note: This section includes summaries of many key laws passed during the 2002 Legislative Session. For a full listing of all bills passed this year, see the Governor's Desk section, beginning on page 52.

★ AGRICULTURE

Increased earnings

Minnesotans who sell homemade goods at a farmers' market will be allowed to pocket \$5,000 a year — up from \$1,000 in yearly sales, under a new law.

Gov. Jesse Ventura signed the measure May 20.

Effective May 21, 2002, the homemade goods will not require a state health inspection but will need a label indicating the name and address of the person who prepared and sold the items.

Rep. Leslie Schumacher (DFL-Princeton), the House sponsor, called it a "family farmer friendly bill."

On May 16, the House passed the measure on a 129-0 vote. The bill cleared the Senate 63-0 on March 11. Sen. Dan Stevens (R-Mora) was the sponsor in that body.

Rep. Dan Dorman (R-Albert Lea) offered an amendment to the bill on the House floor restricting the registration of fertilizer containing arsenic. Fertilizer must be registered with the state before it can be sold.

The measure was ruled not germane to the bill.

During a February committee hearing on the farmers' market bill, the Department of Agriculture raised objections to it for increasing the volume of food sold without health inspections.

Kevin Elfering, who supervises the department's dairy and food inspection division, said it would make it more difficult to guard against the spread of food-borne pathogens.

HF3406/SF3256*/CH383

Biodiesel mandate enacted

Minnesota will be the first state to require that all diesel fuel sold contain a vegetable oil or animal fat additive known as biodiesel.

The new law calls for a 2 percent biodiesel blend by March 1, 2005 or earlier if the state or federal government passes a biodiesel tax credit. The state's soybean producers have pointed to biodiesel production as a way to boost the crop's lagging prices.

Proponents of the biodiesel legislation

argued the additive will tack at most a few extra cents to the cost of a gallon of diesel fuel. Opponents argued it will be more expensive and could also hurt the state's truck-stop operators because truckers will refuel in other states.

The requirement will not apply to motors used by nuclear power plants, trains, and taconite and copper mines. The law also contains a reimbursement clause: If the state repeals the mandate within two years, processors will be able to recoup up to 80 percent of their costs, paid to switch to the biodiesel blend.

Further, the law will also call for at least 50 percent of the biodiesel to be produced in the state. Before the requirement can take effect, the state's annual production capacity must exceed 8 million gallons.

Enactment of the biodiesel requirement came as the U.S. Senate considered including biodiesel incentives in its energy bill.

Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing) sponsored the law. HF1547/SF1495*/CH244

Loans and manure

On May 17, the governor signed the omnibus agriculture policy law, which will establish a methane digester loan program and place a moratorium on new, open-air swine manure basins.

The law was sponsored by Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing).

Under the new law, the Minnesota Pollution Control Agency or a county board will be barred from approving permits for the construction of open-air swine manure basins.

Farmers will be allowed to use one basin with less than a 1 million gallon capacity provided that it is part of a permitted waste treatment program for resolving pollution problems. Producers converting the basin to one used by a different animal type will also be exempt from the ban.

Effective May 18, 2002, the moratorium will expire June 30, 2007.

The methane loan digester loan program included in the new law will help finance capital investment costs associated with using manure to produce electricity.

Further, the new law will revise the University of Minnesota's "county extension work" definition. It strikes "economic and human development" and "community" from the work areas of extension educators and adds "agriculture finance, economic development, nutrition, and youth leadership development, including 4-H programs."

The impetus for the revision stemmed from concerns raised by members of the House Agriculture and Rural Development Policy Committee that extension fails to place a high enough priority on agriculture programs.

The University of Minnesota Extension Service objected to the revised definition, arguing it would limit its scope.

Chronic wasting disease, a fatal condition that afflicts deer and elk, is also addressed in the new law. Importing animals known to be infected with the disease will be banned.

The measure also calls for a joint study by the Board of Animal Health and the Department of Natural Resources on the disease. The agencies will be called on to recommend how the state should prepare for the problem.

The provisions in the new law, with the exception of the moratorium on new swine manure basins, are effective Aug. 1, 2002.

HF3183*/SF3219/CH373

★ ARTS

New state photograph

Bovey native Eric Enstrom's world-renowned photograph "Grace" will be added as Minnesota's 14th state symbol, under a new law effective Aug. 1, 2002.

The law requires the secretary of state's office to display the photograph.

Shot by Enstrom in 1918, it features an elderly man sitting pensively with bowed head and folded hands. He is leaning over a table, and on the table sit a pair of spectacles resting atop a thick book, a bowl of gruel, a loaf of bread, and a knife.

Rep. Loren Solberg (DFL-Bovey), the House sponsor, also sponsored a successful resolution in 2001 that urged the U.S. Postal Service to create a postage stamp reproduction of the photograph. That stamp has not yet been made.

Solberg said he didn't pursue the proposal to make the picture the state photograph at the same time because he wanted to give an opportunity to anyone else who might have another picture to put forward. No one else did.

The photograph joins the other 13 state symbols, including the state song, flag, mushroom, fish, flower, muffin, and others. Most recently, the Legislature passed a law in 2000 making the monarch as the state butterfly after a class of students from Mahtomedi brought the idea to their legislator, Rep. Harry Mares (R-White Bear Lake).



The Minnesota State Photograph, Eric Enstrom's "Grace," is officially unveiled at an April 3 ceremony in Secretary of State Mary Kiffmeyer's office. A 2002 new law established the state photograph. Present at the ceremony were, from left, Kiffmeyer; Britta Nyberg, Enstrom's great-granddaughter; Rhoda Nyberg, Enstrom's daughter; Rep. Loren Solberg, House sponsor of the new law; and Lois Berendts, Enstrom's daughter.

Sen. Bob Lessard (Ind.-Int'l Falls) was the Senate sponsor of the state photograph law.
HF1097/SF1072*/CH255

Sen. Steve Kelley (DFL-Hopkins) sponsored the legislation.
HF3464/SF3174*/CH326

BANKING

★ Money transmitter licensing

A new law will reduce financial requirements for licensing small-business money transmitters.

A 2001 law requiring money transmitters, such as Western Union, to be licensed also established requirements that were difficult for some smaller establishments to meet. All money transmitters were held to a \$100,000 net worth requirement, though many of the smaller businesses did not reach that mark.

Under the new law, the net worth requirement for licensure is a minimum of \$25,000 for money transmitters with three or fewer locations in Minnesota.

Money transmitters with four to six locations are required to have \$50,000 net worth, and for those with seven or more locations, requirements are a net worth of \$100,000 and an additional net worth of \$50,000 for each location above seven, up to a \$500,000 maximum.

The new law also adjusts legal requirements that the businesses carry surety bonds for a certain percentage of their net worth.

The \$50,000 current bond requirement is dropped to \$25,000 for money transmitters with three or fewer locations. The amount would not change for money transmitters with four or more locations and would be capped at \$250,000.

The new law is effective April 9, 2002.

Rep. Dan McElroy (R-Burnsville) and

New credit union laws

Laws governing state credit unions will be up to par with those regulating their federal counterparts, under a new law.

Effective Aug. 1, 2002, the new law will allow state-chartered credit unions to assess fees for its member services and impose late charges for missed payments.

The number of people in a group that can join an existing credit union will be lowered. This may be a disadvantage to credit unions, which would rather expand existing locations than add new ones, officials say.

State-chartered credit unions have slowly been converting to federally chartered credit unions, which has resulted in a loss of state tax revenue. Rep. Doug Stang (R-Cold Spring), the House sponsor, said he believes the new law will be enough incentive to keep state-chartered credit unions from converting.

The Senate sponsor is Sen. Don Samuelson (DFL-Brainerd).

HF2751/SF2650*/CH339

BUDGET

★ First round of cuts: \$1.95 billion

Most of the provisions of the first piece of the Legislature's plan to address the state's projected deficit for the end of the 2002-03 biennium, became law without Gov. Jesse Ventura's approval March 1. The Legislature voted to override the governor's veto of the law.

The new law addresses the deficit identified by the Department of Finance's November 2001 forecast, which indicated a \$1.9 billion shortfall for the current biennium.

A subsequent budget forecast showed the deficit would likely be closer to \$2.3 billion, more than \$400 million above previous estimates. The Legislature passed another law to address the remaining deficit.

The new law uses around \$1.59 billion from various reserve accounts and one-time spending reductions.

The law shifts the balance of the \$653 million budget reserve account to the general fund. It also transfers a \$195 million balance in the state's cash flow account, used to meet deficiencies resulting from uneven distribution of revenue collections and required expenditures.

A transfer of \$120 million from the state's assigned risk plan to the general fund is provided in the law. The assigned risk plan provides workers' compensation coverage to employers rejected by a licensed insurance company.

The law prohibits future budget forecasts from making an allowance for inflation in determining expenditure estimates.

Many different areas of state government will experience budget reductions under the law.

- Agriculture — General fund appropriations for agriculture will be reduced by \$1.69 million for 2002-03. Cuts include an \$800,000 reduction in spending for 2002-03 on the Agriculture Utilization Research Institute, a nonprofit corporation that promotes rural economic development projects. In addition, ethanol producer payments will be reduced beginning in 2005, under the law, from 20 cents per gallon to 19 cents.
- Criminal justice — Portions of the law affecting the state court system and the Corrections and Public Safety departments will be cut about \$26 million for the 2002-03 biennium. The cuts include a \$16.6 million reduction to corrections for the biennium and \$5.3 million to public safety. The new law also includes reductions of \$1.59 million to the court system for 2003, including the state Supreme Court, the Court of Appeals, and the state's district courts.
- Economic development — Economic development funds will lose almost \$6 million over the next biennium due to budget cuts. Administrative costs and program costs were cut in the departments of Trade and Economic Development, Economic Security, Commerce, and Labor and Industry and the Minnesota Trade Office, Minnesota Technology, Inc., and the Housing

Finance Agency. The Minnesota Historical Society's budget will be reduced by \$400,000. The new law will also delay merging the departments of Economic Security and Trade and Economic Development until July 1, 2003.

- **Environment** — General fund appropriations for environment and natural resources programs will be trimmed by \$12.9 million this biennium, nearly all of which will occur in fiscal year 2003. Budget adjustments will affect the Minnesota Pollution Control Agency, the Clean Water Partnership Program, the Office of Environmental Assistance, the state's zoological board, and the Department of Natural Resources.
- **Family and early childhood education** — The amount trimmed from family and early childhood education funding is a total of \$4 million for fiscal years 2002 and 2003, although \$3 million of that is made up for by the transfer of federal Temporary Assistance to Needy Families funds.
- **Health and human services** — Health and human services programs face the heaviest cut in the law — total budget cuts of \$95.9 million, \$55.4 million of which comes from the general fund. The law shifts some health care costs to counties, such as continuing and long-term care, and reduces payments for Medical Assistance and General Assistance Medical Care. Some cuts, including those to State Operated Services, were reinstated in the second budget-balancing law.
- **Higher education** — The law cuts higher education funding by \$50 million, including \$23.6 million from the University of Minnesota and \$22.7 million from the Minnesota State Colleges and Universities system.
- **K-12 education** — Cuts for K-12 education of \$14.9 million in the biennium, under the law. Funds for examination fees, teacher training, and support programs will be cut in half, and the law also reduces funding for the alternative teacher pay fund.
- **State government** — The constitutional officers, state agencies, boards, commissions, and Legislature will see a \$41.9 million cut under the new law. The Department of Revenue will receive a reduction of \$14 million from its budget. However, \$7.6 million was reinstated in the second budget-balancing law for the department's tax compliance division. The governor's budget is reduced \$1.1 million this biennium while the Legislature's budget will see a \$2.2 million reduction. A hiring freeze is imposed on state employment, and the law

also calls for reductions in the professional and service contracts.

- **Transportation** — The law trims about \$3 million from state general fund transportation spending, including about \$2.7 million from the Metropolitan Council and its transit operations, primarily in 2003. The Department of Transportation will lose about \$500,000 from non-highway programs over the biennium.

Rep. Rich Stanek (R-Maple Grove) and Sen. Doug Johnson (DFL-Tower) sponsored the measure.

HF351*/SF264/CH220

★ BUSINESS

Liquor licenses, 1 a.m. exemption

Six cities in the state have the authority to issue additional liquor licenses, under a new law.

Sponsored by Rep. Doug Stang (R-Cold Spring) and Sen. James Metzen (DFL-South St. Paul), the law gives the cities of Albert Lea, Brainerd, Coon Rapids, Eden Prairie, Proctor, and West St. Paul the authority to issue additional liquor licenses.

Generally state law limits the number of intoxicating liquor licenses that a city may issue. For example, cities with more than 100,000 residents are allowed to issue one license up to a maximum of 200 for every 1,500 people. Cities with a population between 20,000 and 99,999 are allowed to issue up to 18 licenses, plus one for every 2,500 population greater than 45,000.

Hotels possessing on-sale intoxicating liquor licenses that have hotel rooms with cabinets, which dispense liquor for a fee, are exempt from the state's 1 a.m. bar closing time on those sales, under the law.

The new law is effective April 6, 2002.

HF3058/SF2739*/CH318

Real estate licensing

Real estate licensing laws relating to making property disclosures and investigating statute violations will change, under a new law.

Effective Aug. 1, 2002, the commissioner of the Department of Commerce will be prohibited from intervention in monetary settlements between licensed real estate agents and consumers.

Specifically, the provision addresses instances when the department becomes involved in investigating a complaint. Though parties may settle the situation on their own, the new law will not allow the department to encourage or negotiate any specific monetary settlement.

In addition, the new law clarifies further the material facts that brokers are not liable for disclosing. Those conditions include if the property was the site of a suicide or homicide and if it is located near a nursing home or group home.

A different law passed in 2002 further clarifies that property owners are held responsible for disclosing certain information.

Technical provisions include no longer requiring agencies to retain disclosure forms for a property that did not produce a contract or services contracts where a buyer abandoned the agreement before services were provided.

Rep. Doug Stang (R-Cold Spring) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the law.

HF3078/SF2821*/CH286

Gas station owner rights

A provision that gives gas station owners additional rights to the land they occupy is now permanent law.

Gas stations are generally operated by franchisees that lease their locations. First passed in 2000, state law requires that the operator of the station be given an opportunity to purchase the property before the franchisor could sell it to a new franchisor.

The provision had a sunset date of July 1, 2002.

Effective March 22, 2002, the law now has permanent effect, under new legislation enacted during the 2002 session.

Some controversy between franchisors and franchisees over the amount of flexibility each can retain had kept the law from becoming permanent. Rep. Bill Haas (R-Champlin), House sponsor of the new law, said this year there was no opposition.

He said the franchisees won't lose any money under the new law and that it will protect local businesses.

Sen. John Hottinger (DFL-Mankato) sponsored the Senate version.

HF2766*/SF2475/CH249

Recovering contracting costs

Gov. Jesse Ventura signed a new law that will prohibit clauses in public works contracts that limit the rights of a contractor to recover costs or damages caused by acts or omissions within the contracting public entity.

Ventura vetoed a similar bill that unanimously passed both the House and Senate in 2001. The Senate voted to override the governor's veto but a similar vote in the House failed.

The new law is effective Aug. 1, 2002.

Rep. James Clark (R-New Ulm), the House sponsor, said the new law came as a result of instances such as one that involved a construction company scheduled to deliver fill but had the delivery substantially delayed by a Metropolitan Airports Commission decision to install a traffic light.

The company went to the commission to renegotiate a change in the contract due to the delay but was given no flexibility in the time of delivery clause, Clark said.

He said fears that the law would somehow affect the light-rail transit project in the Hiawatha Corridor led to the House's failure to override the governor's veto in 2001.

Those concerns have now been addressed, Clark said.

Last year in his veto message, Ventura wrote that the "no damage for delay" clause is commonly used in public works contracts and the legislation would lead to increased litigation and higher contract costs.

The new law was sponsored in the Senate by Sen. David Knutson (R-Burnsville).

HF3205/SF2890*/CH299

ALWAYS LEAVE 'EM LAUGHING



PHOTO BY ANDREW VON BANK

Retiring Rep. Peggy Leppik shares a laugh with members in the House chamber May 19. During her farewell speech, Leppik inadvertently referred to her seatmate, Rep. Jim Rhodes, right, as her "roommate."

★ CHILDREN

Daycare pool safety

Let the splashing begin.

Effective March 26, 2002, a new law will allow children to continue playing in portable wading pools at family daycare providers.

Although the Legislature approved a law permitting the use of the wading pools in 1999, it has been interpreted as an expired provision and law needed to be clarified.

Under the new law, a child's parent or legal guardian must sign a statement indicating they have read materials prepared by the state informing them of risks associated with swimming in the pools.

The wading pool must have a maximum depth of 24 inches and be capable of being manually emptied and moved.

Rep. Richard Mulder (R-Ivanhoe) and Sen. Arlene Lesewski (R-Marshall) were the sponsors.

HF2600/SF2419*/CH279

Home swimming pools

Family daycare providers will be allowed to let children they care for use their swimming pools, provided they meet a host of safety requirements, under a new law.

Effective Aug. 1, 2002, the new law exempts family daycare facilities from the state's public pool regulations.

Under the new law, daycare providers must

notify the county before children initially start swimming in the pool and annually thereafter. A child's parents or legal guardian must provide written consent after reading state-prepared material on the health risks associated with swimming pools.

The daycare provider must also complete a swimming pool training operator course once every five years.

Additionally, an individual trained in CPR and first aid must attend the swimming pool when children are using the pool.

Daycare providers will be exempt from liability unless they fail to meet the state's licensing standards.

Rep. Tim Wilkin (R-Eagan) and Sen. Deanna Wiener (DFL-Eagan) sponsored the law.

HF1517*/SF1443/CH333

Reporting maltreatment

Jolene and Bill Devine's 5-month-old grandson, Isaiah, died of Shaken Baby Syndrome in 2001. He had been at a daycare in Victoria.

The couple from Mayer, Minn., was among the major proponents of a new law that will change requirements for helping parents report suspected maltreatment.

By Aug. 1, 2002, all licensed childcare providers in the state will be required to develop policies for parents to report suspected child maltreatment, under the new law.

The Devines' daughter, Theresa, learned of

the caregiver's criminal past after her son's death. The record included drug and domestic assault charges, which did not appear on the record at the time the caregiver underwent and passed a criminal background check.

"We thought a license would ensure safety," Jolene Devine told a House committee during the 2002 session.

The state will also be required to print the licensing agency phone number on the daycare provider's license, directing concerned parents where to call for more information.

Daycare providers will be required to post both the county and state licensing phone numbers.

The law was sponsored by Rep. Carol Molnau (R-Cologne) and Sen. Claire Robling (R-Prior Lake).

HF2813*/SF2803/CH248

Gaining custody

About 71,000 children in Minnesota are being raised by their grandparents, siblings, or other caregivers, said Rep. Mary Liz Holberg (R-Lakeville), House sponsor of a new law designed to help these de facto parents more easily obtain legal custody of the children in their care.

The new law is effective Aug. 1, 2002.

Since many caregivers were having a hard time getting custody of the children they cared for, Holberg said she sponsored the measure to lay out a simpler process to gain custody.

In order to be awarded custody, the

caregiver must show that the parent has abandoned or neglected the child, or that it is otherwise in the best interest of the child to be raised with the caregiver.

Speaking in support of the bill, Rep. Luanne Koskinen (DFL-Coon Rapids) told of how she and her husband struggled to gain custody of their granddaughter after their daughter was murdered in 1994.

Although they did eventually win custody, legal battles with the child's father cost the couple about \$20,000.

Holberg said it is hard to determine how much the change in law would have helped in Koskinen's situation but it likely would have sped up the process.

Sen. Richard Cohen (DFL-St. Paul) sponsored the measure in the Senate.

HF2596/SF2673*/CH304

★ CONSUMERS

Labeling e-mail messages

Gov. Jesse Ventura signed a new law May 22 that will protect the privacy of Internet users and attempt to limit unsolicited commercial messages, commonly called "spam."

The law will require certain unsolicited commercial e-mail messages to be labeled as "ADV:" for advertisements, and "ADV: Adult" for those containing adult material.

Sponsored by House Majority Leader Tim Pawlenty (R-Eagan) and Sen. Steve Kelley (DFL-Hopkins), the new law will also protect the privacy of consumers who use Internet service providers by preventing them from distributing personal information except as needed to conduct business or with the consumer's consent.

House members approved the plan 131-2 and the Senate 62-0, both on May 18.

The measure will also require all unsolicited commercial messages to contain a return e-mail address or toll-free telephone number so recipients can request to be removed from the company's list. It also bans false or misleading commercial e-mail messages.

Violators who send misleading messages could be fined the lesser of \$25 for each message, or \$35,000 per day. Those who do not label commercial messages properly could be fined \$10 per message, or \$25,000 per day.

During May 17 conference committee testimony, Pawlenty said the Legislature has worked on the issue for several years, but it was only about a month ago that the issue began to be taken seriously.

Several representatives from local and national Internet service providers spoke against the idea, saying the issue would be better addressed at a national level.

During debate on the House floor, Rep. Eric Lipman (R-Lake Elmo) questioned how the legislation would be enforced for those who live in other states and countries and send messages to Minnesota residents.

Pawlenty said the law is based on legislation in the state of Washington that has withstood a court challenge, and will apply to Internet service providers with a physical presence in the state.

The legislation takes effect March 1, 2003. A provision will void the legislation if a national law were enacted.

HF3625/SF2908*/CH395

Do-not-call list authorized

A telemarketers' "do-not-call" list will be established by Jan. 1, 2003, under a new law.

At no cost to consumers, Minnesotans will be able to put their home telephone numbers on a list to which telephone solicitors will be required to subscribe, under the law. Residents' names will stay on the list for four years unless they choose to revoke them.

Nonprofit organizations, as well as political groups, will not have to subscribe to the list. Businesses that have a resident's permission, businesses with a prior relationship to a resident, and businesses who will follow up the phone call with a face-to-face visit are exempt from the requirement to obtain the list.

Four times a year, telemarketing companies will have to purchase the updated list or face a fine. The fee for obtaining the list will be \$125 for each copy. In 2004 the fee will be reduced to \$90, and thereafter it will be \$75.

General fund monies totaling \$482,000 in 2003 will be used to establish and maintain the list.

A violator of the list will be charged a civil penalty up to \$1,000 for each call.

If a national do-not-call list is established, the phone numbers on Minnesota's list will be sent to the Federal Communications Commission to be included on that list.

The law is sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul).

HF2710/SF3246*/CH367

★ CRIME

Tougher penalties

A new law intended to crack down on sexual offenders was signed by the governor May 21.

The House passed a conference committee report 131-0 on May 16 and the Senate passed it 54-4 one day earlier.

Effective Aug. 1, 2002, the law will clarify that it is a crime for the driver of special

transportation buses to engage in sexual contact with riders, regardless of consent.

Rep. John Tuma (R-Northfield), the House sponsor, said a Hennepin County attorney requested the change after a driver had sex with a mentally impaired rider and claimed the rider gave their consent.

The law will also set a new mandatory minimum sentence for those charged with certain violent cases of second-degree sexual misconduct. It will create a sentence so offenders won't be eligible for parole until after 7.5 years. That section is effective May 22, 2002.

Prior law requires those convicted of second-degree sexual misconduct to serve a minimum of four years.

Supporters said the change is needed because many first-degree offenders were pleading guilty to second-degree sexual misconduct in order to serve only four years in prison. First-degree sexual misconduct carries a sentence of 12 years.

In addition, the law will require that costs related to criminal sexual misconduct investigations are not borne by the victim. The law states that counties in which the alleged offense occurred must pay for examination costs.

The Senate sponsor was Sen. Don Betzold (DFL-Fridley).

HF3304/SF2433*/CH381

Requiring beer keg registration

Beer kegs sold in the state must be labeled with an identification tag, under a new law effective Aug. 1, 2002.

Sponsors of the law, Rep. Steve Dehler (R-St. Joseph) and Sen. Don Betzold (DFL-Fridley), say the measure is meant to crack down on underage drinking.

Under the law, off-sale liquor retailers will be required to attach a registration tag to each keg they sell. The tag must include the retailer's name, address, telephone number, keg identification number, and a warning that removing the tag is a crime.

The law will require off-sale retailers to record the driver's license number of the purchaser and keg identification number at the time of the sale. The retailer must also record the date and time of the sale and must collect the purchaser's signature.

Information collected must be kept for at least 90 days, and the retailer must make the information available to law enforcement officials upon request, under the new law.

The law will also make it illegal for store clerks to knowingly record false information for the sale, although the law does not set a fine for those who do.

Language in the law does not specifically

include any new penalties for violators. Existing civil and criminal laws continue to place responsibility upon those who purchase alcohol.

Store clerks will be liable only if they knowingly sell liquor to people under 21 years old.
HF58*/SF389/CH232

Taking responsibility for crimes

Activist groups and others who take credit for crimes will face a tougher penalty, under a new law.

The law is designed to discourage activist groups from taking responsibility for crimes, sponsor Rep. Tom Workman (R-Chanhassen) said during the House debate.

The change will make it a gross misdemeanor for people to assume responsibility for crimes they have not been convicted of in order to impede, prevent, or obstruct a criminal investigation. This provision takes effect Aug. 1, 2002.

The new law will also allow those who destroy crops, animals, or other organisms used for research to be civilly liable for up to three times the amount of the value of the damage, including the estimated value of the research related to the organisms or items destroyed. That change takes effect July 1, 2002.

A \$100,000 fine could be assessed to compensate for any delays in research resulting from the crime.

Workman has said the bill is aimed at groups such as the Earth Liberation Front,

which publicly took credit for millions of dollars worth of damage when a January fire damaged a lab at the University of Minnesota's Microbial and Plant Genomics Research Center in St. Paul.

Sen. Dave Kleis (R-St. Cloud) was the Senate sponsor.
HF3048/ SF2460*/CH348

Lifetime sex offender registration

Effective March 1, 2002, a new law will require more repeat sex offenders to register with the state for the rest of their lives.

Gov. Jesse Ventura signed the law in time to prevent the state from losing about \$850,000 in federal grant money.

Rep. John Tuma (R-Northfield), the House sponsor of the measure, told the House during floor debate that the state could lose money from the Edward Byrne Memorial State and Local Law Enforcement Assistance program if the bill had not been passed by March 1.

State laws requiring certain criminals to register for 10 years went into effect in 1991, but lifetime registration was not added until 2000. At that time, 1991 was established as the cut-off for considering previous offenses.

Lifetime registration was previously only required if the offender's first offense was one that required registration at the time it was committed. The new law now requires criminals who were convicted of an offense before

1991 to register if they are convicted of a second offense.

The new law also applies to residents convicted of similar crimes at the federal level or in other states, as well as those who work in Minnesota but live in other states.

Sen. Jane Ranum (DFL-Mpls) sponsored the Senate version.
HF3049/SF3019*/CH222

Pay to stay behind bars

A new law will allow counties to charge inmates for room and board.

Sponsored by Rep. Maxine Penas (R-Badger) and Sen. Leo Foley (DFL-Coon Rapids), the new law will permit counties to collect fees from inmates only if the person has the ability to pay.

Beginning Aug. 1, 2002, county boards will be able to charge inmates for room, board, and clothing, as well as necessary medical, dental, or other correctional services. The law will give counties civil means to collect the money.

Under current practice, any money an offender has when he or she enters a county jail is returned to them when they leave, minus any fines that may have been assessed as part of a sentence.

The law will allow county boards to waive the fees if the person doesn't have the means to pay, if payment is unlikely, or if it would unduly harm the person's family.

It will also require offenders to pay other obligations, such as fines and child support payments, before money would be taken for the jail expenses.

HF2841/SF2533*/CH322

Escape, endangerment provisions

A convict who tampers with electronic monitoring devices will be subject to escape penalties, under a new law.

Effective Aug. 1, 2002, the new law states that people who are sentenced to electronic monitoring as a condition of their sentence, parole, or probation, will be considered escapees and subject to the same penalties if they tamper with the monitoring devices.

The new law is a culmination of several adjustments to criminal statutes.

In addition, the new law clarifies that a person is guilty of child endangerment if he or she is selling, manufacturing, or possesses the materials to manufacture controlled substances in the home. Such a situation, depending on the circumstances and effect on the child, may warrant a felony penalty of up to five years in prison and a \$10,000 fine, under the new law.

GOING TOGETHER



PHOTO BY ANDREW VON BANK

Rep. Tom Osthoff, right, gives a kind farewell to Rep. Bob Milbert May 19. The two friends are retiring from the House, — Milbert after eight terms, Osthoff after 14.

Previous law considered possession and use in the presence of a child to be endangerment.

The new law also provides that in juvenile proceedings where the sole purpose is a petition for habitual truancy, children, parents, guardians, or custodians do not have the right to a public defender. However, if out-of-home placement is ultimately required, the court may appoint legal counsel at public expense, under the law. That section is effective July 1, 2002.

Finally, the new law expands juvenile court jurisdiction over offenders who committed a qualifying act or were charged by juvenile petition prior to their 21st birthdays, but did not have their cases fully resolved before turning 21. Those cases would be settled in the juvenile system, along with those who either failed to attend a court hearing or somehow absconded from placement.

Rep. James Clark (R-New Ulm) and Sen. Leo Foley (DFL-Coon Rapids) sponsored the law.

HF2840/SF2580*/CH314

Criminal history data sharing

Minnesota will become part of an interstate agreement that makes it easier for states to share criminal history data, under a new law.

Effective Aug. 1, 2002, the new law makes Minnesota a participating state in the National Crime Prevention and Privacy Compact.

The compact is an agreement between member states and the federal government to share criminal history information for use in non-criminal background checks.

Officials say participation in the compact will better ensure that such data is shared among states. Entering into the compact is not expected to cost the state any money.

In addition, the new law will establish the state commissioner of public safety as the person who will oversee that the compact's rules and procedures in the state.

Rep. Rich Stanek (R-Maple Grove) and Sen. Charles Wiger (DFL-North St. Paul) sponsored the law.

HF1934/SF1030*/CH269

Reporting change

A new law will allow public employees and public officers to report instances of theft, fraud, or embezzlement directly to law enforcement rather than to the state auditor.

Effective Aug. 1, 2002, the new law will require the person making the report to provide all information pertinent to the incident, including any non-public data.

Rep. Mary Liz Holberg (R-Lakeville), House sponsor of the law, said that she proposed the

OUT OF THE POUND



PHOTO BY ANDREW VON BANK

Rep. Mike Osskopp is embraced by fellow "Dog Pound" member, Rep John Tuma, after Osskopp's retirement speech May 19. Osskopp is leaving after being paired with Rep. Jerry Dempsey in the redistricting plan.

change after a case in a Lakeville school where an employee was suspected of theft.

The school district was prevented from disseminating private employee information to law enforcement and had to go through the state auditor's office to seek discipline. In the meantime, the employee resigned, and the district was left with no chance for retribution.

A separate provision will allow school officials to inform law enforcement of the existence of certain data in a student's record if the student's parents or guardians do not object.

The measure does not allow schools to turn over exact data on the incidents, but rather allows only the existence of such data to be reported. Data that can be given out include knowledge of the student's drug use, alcohol use, threatening behavior, vandalism, or theft.

Under the new law, parents will be sent a letter informing them of law enforcement's request for their child's information. If the child's parents or guardians object to the information being disseminated, the school officials will be prohibited from turning over the information.

The law will not include information in the student's education record or data protected by a court order.

Sen. David Knutson (R-Burnsville) was the Senate sponsor.

HF2618*/SF3373/CH352

★ EDUCATION

Commission to become nonprofit

A new law will convert the Minnesota Commission on National and Community Service to a nonprofit corporation, which will allow the organization to be more entrepreneurial, its advocates say.

The new law will remove the commission from state oversight, providing more opportunity for it to engage the private sector in fundraising and to take advantage of new federal dollars.

The commission, which administers the state Youth Works and federal AmeriCorps programs, was constrained by a hiring freeze in the Department of Children, Families and Learning. The commission was unable to accept additional funds for AmeriCorps because they couldn't hire the staff to administer them, according to Rep. Andy Dawkins (DFL-St. Paul), the House sponsor of the law and a commission board member.

In recent years, "they have become a more entrepreneurial board, going after private dollars," he said, and private entities are "not as willing to fund government programs as much."

Commission officials say they are required to ensure the program benefits Minnesota. Furthermore, the commission does not intend to increase its board membership at this time.

The new law relieves the commissioner of the Department of Children, Families and

Learning of oversight responsibilities; however, the commissioner will still be a board member.

The nonprofit corporation will be subject to the data practices act, open meeting laws, and the legislative auditor's jurisdiction.

Most sections of the new law are effective the day after the commission certifies it is a nonprofit corporation.

The Senate sponsor is Sen. Steve Kelley (DFL-Hopkins).

HF2835/SF3028*/CH334

★ ELECTIONS

Campaign contribution changes

A new law will make changes to the state's campaign finance laws.

Rep. Jim Rhodes (R-St. Louis Park), the House sponsor, said the measure was brought forward by the state Campaign Finance and Public Disclosure Board as a way to address issues with laws governing the board.

Effective Aug. 1, 2002, many provisions of the new law change penalties for failing to file reports with the board from criminal penalties, primarily misdemeanors and gross misdemeanors, to civil penalties of either \$1,000 or \$3,000 depending on the nature of the violation.

Rep. Loren Solberg (DFL-Bovey) spoke in support of the measure, saying that the criminal penalties discourage people from serving as treasurers for campaign committees because of the fear of being prosecuted for making a mistake.

The new law will make it illegal for political committees and funds to donate money to a candidate at amounts greater than the amount legally allowed. Existing law only bans the candidate from accepting such contributions.

Further, the law will also allow a political candidate, who has agreed with his or her opponent to prescribed spending limits, to be released from the limits if the opponent does not adhere to them.

A principal campaign committee of a candidate for the Legislature will be allowed to transfer contributions to another principal campaign committee of the same candidate. The transfer is allowed for members of the House running for a Senate seat, and vice versa, or members of the Legislature running for constitutional officer positions.

The new law stipulates that if such a transfer occurs, the original principal campaign committee must provide a written statement of the committee's intent to dissolve and terminate its registration with the board within 12 months.

Sen. John Hottinger (DFL-Mankato) was the Senate sponsor.

HF3379/SF3384*/CH363

★ EMPLOYMENT

Ventura OKs extra benefits

Gov. Jesse Ventura signed into law unemployment extensions for many laid-off workers, but he did it with some reservations.

"This bill has many valuable provisions that appropriately should be signed into law; however, ... the extended unemployment insurance benefits in the bill are unfair to Minnesotans," he wrote in a statement to legislative leaders. He signed the legislation May 22.

The new law grants a 13-week extension of unemployment benefits to Farmland Foods Company workers, Fingerhut, Inc., workers in Greater Minnesota, and airline workers. In total, the workers could receive up to 52 weeks of benefits — 26 that state law permits for most workers, 13 from a federal extension, and 13 more from the state in this law.

"The extensions in this bill treat some workers as if their unemployment is more severe or painful than their friends, neighbors, and colleagues at other companies or in other industries," Ventura wrote.

"Government needs to treat all cases evenly; 52 weeks of benefits 'here and there' just doesn't make sense."

The new law will also grant a full extension for several thousand laid-off Minnesota workers who do not qualify for the 13-week federal benefits extension set to expire Dec. 31, 2002.

The new law will cost Minnesota employers nearly \$23 million and serve about 10,000 people. All employers will pay a little more into the unemployment insurance fund; airlines will cover 100 percent of the benefit cost to their former employees.

Ventura also criticized the Legislature for changing the criteria for extending benefits. He said he approved the extension for LTV Steel Company workers "with the understanding that LTV's case met very specific and narrow criteria.

"By changing those criteria ... I believe you have established a precedent with (the legislation) to be used in future years to justify a far wider set of extensions and the (unemployment insurance) trust fund simply cannot bear that burden," he wrote.

The unemployment extensions are effective May 23, 2002 and retroactive to March 10, 2002.

The new law also designates \$12 million to

pay for a technology initiative project under the unemployment insurance program, addresses the solvency of the unemployment insurance fund, gives priority to the Youthbuild program for constructing early childhood learning and child protection facilities, and establishes a task force to report recommendations for workplace ergonomics standards.

HF3648/SF3431*/CH380

Workers' compensation changes

Gov. Jesse Ventura signed a new law that will clarify workers' compensation provisions.

Beginning Aug. 1, 2002, the new law will require the payment of death benefits to be made to the estate within 14 days of when the insurer receives notice that a personal representative for the estate has been appointed.

Previously, employers or insurers were required to pay \$60,000 to the estate of an employee who has neither left dependents nor designated others to receive death benefits.

A requirement for an injured minor or incapacitated person to have a guardian or conservator in order to receive benefits will now only pertain if the total amount of benefit exceeds \$3,000. Previous law required a guardian or conservator regardless of the amount of benefits.

Also in the law, the Department of Labor and Industry will no longer have to keep a list of neutral physicians for use in workers' compensation cases. Officials said they want the provision removed because they have never been able to develop the list. This section is effective July 1, 2003.

The Workers' Compensation Advisory Council requested changes contained in the law.

Rep. Bud Nornes (R-Fergus Falls) and Sen. Arlene Lesewski (R-Marshall) sponsored the law.

HF3348/SF3136*/CH262

★ ENERGY

Technical changes

A new law makes technical changes to the 2001 Energy Security and Reliability Act, creates a power plant criteria study, and broadens a conservation program.

Gov. Jesse Ventura signed the legislation May 22. It passed in both houses May 18, the House voting 99-32 and the Senate 61-2.

Rep. Ken Wolf (R-Burnsville), the House sponsor, has said many of the changes address unintended consequences of the 2001 law.

Part of the new law would restore a

provision amended last year that allows landowners the option to sell an easement to or require purchase of property from a utility that wants to build a high-voltage transmission line across a landowner's property.

The new law also switches back the definition of high-voltage transmission lines to 200 kilovolts and larger. The 2001 law dropped the kilovolts limit to 100.

A small change is included in the new law regarding the reliability administrator, a new position in the 2001 law. It says this person may not have been a party to or participant in an energy proceeding at the Public Utilities Commission for at least one year prior to their appointment of administrator.

In addition, the new law restores more local control to the certificate of need process, and gives the Department of Administration more time to file a plan about conservation in existing public buildings.

The new law instructs the state commerce commissioner to assess criteria that could be used to evaluate and select bids for a plant. The commissioner is required to hold public hearings to assist in the evaluation, and present a report of the findings to the Legislature by Jan. 15, 2003.

Also, a Duluth conservation program can now award loans to commercial buildings in addition to residential homes. The revolving loan fund assists in conservation upgrades

such as insulation or energy-saving lighting.

This section is effective the day after approval by the city of Duluth's governing body. All other provisions are effective May 23, 2002.

Sen. James Metzen (DFL-South St. Paul) was the Senate sponsor.

HF2972*/SF2740/CH398

★ ENVIRONMENT

Phosphorus-free fertilizing

The application of phosphorus fertilizers on lawns in the Twin Cities metropolitan area will largely be banned under a new law.

The new law prohibits the use of phosphorus-based fertilizer in the seven-county metropolitan area unless a soil test conducted within the past three years determines there is a need for the nutrient. Property owners laying sod for the first time and licensed professionals applying fertilizer on golf courses will be exempt from the ban. It also does not apply to any agricultural use of phosphorus.

In Greater Minnesota, a small amount of phosphorus will be permitted in liquid and granular fertilizers.

The restrictions take effect Jan. 1, 2004.

Phosphorus overuse has been linked to an overgrowth of algae — vegetation that chokes other aquatic life in many water bodies.

The new law immediately preempts local ordinances restricting the sale or application of the nutrient for farming uses.

Other local ordinances regulating the use of phosphorus on grass will be grandfathered in if they are adopted before Aug. 1, 2002.

Applying the fertilizer to any impervious surface, such as a street, sidewalk, or parking lot, is also prohibited under the new law.

Rep. Peggy Leppik (R-Golden Valley), a sponsor along with Sen. Linda Higgins (DFL-Mpls), said a statewide policy is necessary to establish uniformity and avoid perpetuating a confusing "patchwork of local ordinances" regulating phosphorus.

The agriculture commissioner, along with the University of Minnesota Extension Service, the fertilizer industry, and lake groups, are required to provide consumers with best practices information on lawn fertilizers under the law. The commissioner is also required to report to the Legislature on the effectiveness of phosphorus-fertilizer restrictions by Jan. 15, 2007.

A violation of the law will be a petty misdemeanor.

HF1524/SF1555*/CH345

Deer health, fund changes

The Department of Natural Resources will be allowed to use money generated from deer hunting licenses to manage chronic wasting disease, under a new law signed by the governor May 20.

The fatal disease attacks the brains of infected deer and elk, causing the animals to lose weight and behave abnormally. There have been no cases in Minnesota, but deer in neighboring states have been found with the condition.

More than 50 deer in Minnesota have been tested and the DNR is developing plans for more monitoring and for handling an outbreak, if one occurs.

The provision allowing for the money to be used to guard against the disease takes effect July 1, 2002.

The new law was sponsored by Rep. Mark Holsten (R-Stillwater) and Sen. Leonard Price (DFL-Woodbury).

The new law also includes a number of technical provisions that will direct the disbursement of federal dollars for wildlife restoration.

It will authorize appropriation reductions for state recreational areas signed into law in 2001. The Red River State Recreation Area, under development near East Grand Forks, will receive \$200,000, down from \$600,000.

Further, the Big Bog State Recreation Area, under development near Upper Red Lake in

ONE-HOUSE MEMBER



PHOTO BY ANDREW VON BANK

Rep. Andy Dawkins, left, gets a farewell handshake from Rep. Loren Solberg after Dawkins' retirement speech May 19. The St. Paul DFLer is leaving after eight terms so he, his wife, Sen. Ellen Anderson, and their children can all reside under one roof. Anderson represents a different Senate district and the couple has maintained two households during their marriage.

north central Minnesota, will see a reduction from \$200,000 to \$100,000.

Both cuts are effective May 21, 2002.

The new law also includes \$150,000 for the DNR to conduct walleye research on Mille Lacs Lake in north central Minnesota.

Another provision will require the DNR commissioner to review the leasing of lakes for private aquaculture and report back to the Legislature by Jan. 15, 2003.

HF2973/SF2738*/CH376

Moth spraying allowed

A new law allows the Department of Agriculture to proceed with plans to spray for gypsy moths.

The highly destructive forest insect strips trees of vegetation.

Effective May 11, 2002, the new law provides exceptions to a state law banning aerial pesticide spraying in areas where people could potentially be exposed.

It will allow the spraying:

- when the pesticide is intended for use on a human, such as bug spray;
- for mosquito control operations before June 30, 2003; or
- to stamp out gypsy moths, tent caterpillars, or other “pest species” when a biological agent is used.

An opinion issued in April by state Attorney General Mike Hatch effectively derailed the department’s plans to conduct the spraying in portions of south Minneapolis, Golden Valley, and St. Louis Park.

The Agriculture Department has pegged this month as the ideal spraying time, prompting the Legislature to fast track the bill to the governor — two weeks passed between the bill’s introduction and the law’s enactment.

The department plans to use *Bacillus Thuringiensis* (B.t.) to kill the moths — a biological treatment considered safe for humans.

Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing) were the law’s sponsors.

HF3719/SF3463*/CH369

ATV restrictions

All-terrain vehicle riders will be barred from driving off trails in state forests, under a new law.

Motorized vehicles will be allowed on designated forest roads and trails, under the law effective May 2, 2002. Commercial loggers, along with big-game hunters and trappers during the hunting season, will be exempt from the restriction.

The law also appropriates \$1.2 million for trail maintenance, monitoring and enforcement, and environmental reviews of proposed

trails. The money will be drawn from the all-terrain vehicle, off-highway vehicle, and off-highway motorcycle accounts.

Also under the new law, snowmobiles and outboard motors purchased by the Department of Natural Resources will have to be the four-stroke engine model. Further, it will require that ATVs purchased by the DNR be made in Minnesota.

Another snowmobile section in the new law will allow the DNR to use up to 50 percent of the snowmobile maintenance and grooming grant to reimburse intended recipients of the money for equipment costs.

Counties will also be allowed to raise the speed limit to 65 mph for snowmobiles traveling on marked trails on lakes larger than 10,000 acres. It will be applicable during daylight hours and subject to the approval of the DNR commissioner.

Rep. Tom Hackbarth (R-Cedar) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the law.

HF2970*/SF3010/CH355

Citizen water monitoring

The Minnesota Pollution Control Agency will have the authority to encourage a citizen-based, water quality-monitoring project, under a new law effective Aug. 1, 2002.

The agency will not be required to develop the program. But if the agency determines that it has adequate resources, the new law directs the agency to provide technical assistance and training to the volunteers to ensure the water quality data has uniform standards.

The new law encourages the agency to seek public and private funds to facilitate the program and create clear guidelines for water quality monitoring procedures.

If the agency takes on the water monitoring initiative, officials are encouraged to post data on the agency’s Web site to better inform citizens about the condition of Minnesota’s water bodies.

Currently, only a fraction of the state’s lakes and river ways are tested for pollutants.

If the agency launches the program, it will be required to make progress reports to the Legislature by Jan. 15 of each odd-numbered year.

The law will expire June 30, 2005.

Rep. Chris Gerlach (R-Apple Valley) and Sen. Jane Krentz (DFL-May Township) sponsored the legislation.

HF3275/SF2932*/CH253

Friendlier fuels

A state agency will be directed to buy cleaner-burning fuels for its fleet under a new law.

Fuels that meet the state’s standard will include a 20 percent biodiesel blend, compressed natural gas, hydrogen, liquefied natural gas or petroleum gas, and a 70 percent ethanol blend.

The measure takes effect Aug. 1, 2002.

Under the law, a state agency will be required to buy the cleaner fuel if it is “reasonably available at similar costs” to other fuels and if the blend is compatible with the vehicle’s motor.

It also directs state agencies, when replacing vehicles, to purchase new cars capable of running on the cleaner-burning fuels for the fleet if they are available and comparable in price to other vehicles.

The requirement coincided with another new law requiring all diesel fuel sold in the state contain 2 percent biodiesel by March 2005. The requirement will become effective earlier than 2005 if the state’s production capacity reaches a certain level and a state or federal tax credit for production is passed.

The new law governing the use of fuels also requires public entities — including all government, court, and school buildings — to have recycling containers.

Rep. Dennis Ozment (R-Rosemount) and Sen. Jane Krentz (DFL-May Township) were the sponsors.

HF3519/SF2675*/CH312

Consolidated-conservation lands

More than 100,000 acres of land in northwestern Minnesota will be designated as wildlife-management areas, under a new law.

The measure will complete an ongoing effort to apply the designation to remaining acres of the state’s Consolidated Conservation (Con-Con) lands.

Minnesota took control of the Con-Con lands beginning in 1929 through tax forfeiture. Farmers largely abandoned the lands during the Great Depression, according to a Legislative Reference Library guide on the issue.

At the time the state took over the lands, the state paid \$4.75 million to pay off county drainage ditch debts, securing responsibility for 1.6 million acres in Aitkin, Beltrami, Koochiching, Lake of the Woods, Mahanomen, Marshall, and Rouseau counties.

The Department of Natural Resources has managed the Con-Con lands in a variety of ways: as wildlife-management areas, state forests, state parks, scientific and natural areas, or agricultural areas.

Under the new law, 102,315 acres in Beltrami, Marshall, and Rouseau counties will

become the last acres designated as wildlife-management areas, which are heavily used by hunters. The state has more than 1.1 million acres with this designation.

The law contains a provision that will direct the DNR commissioner to designate a minimum of 90 miles of trails for all-terrain vehicles in wildlife-management areas. Eight-member working groups will be established in each county to work on trail designation plans.

Deer hunters will also be allowed to use all-terrain vehicles on the lands during the hunting season.

The ATV and Con-Con lands sections of the new law are effective Jan. 1, 2003.

Rep. Dennis Ozment (R-Rosemount) and Senate Majority Leader Roger Moe (DFL-Erskine) were the sponsors.

HF1359/SF2125*/CH353

FAMILY

Postnuptial agreements

A new law will allow more married couples to enter into postnuptial agreements.

Effective Aug. 1, 2002, the new law will permit couples to enter into pacts regarding who has rights to what property no matter how many assets the couple has.

Prior law required each spouse to have at least \$1.2 million in assets before a postnuptial agreement could be entered into.

The change will also allow an exception to current law that states a postnuptial agreement is not valid if either spouse files for divorce or legal separation within two years of the execution of the postnuptial agreement.

The new law states that a postnuptial agreement is presumed to be unenforceable in such cases, but it allows for exceptions if the spouse who wants the divorce or separation can establish that the settlement is fair.

Rep. Rob Leighton (DFL-Austin) and Sen. David Knutson (R-Burnsville) sponsored the law.

HF3455/SF3380*/CH338

Judicial consistency

Effective July 1, 2002, a new law will allow all judicial matters of a family to be heard by the same judge or referee in Hennepin and Ramsey counties.

Since most judicial districts in the state already have one judge assigned to family, probate, or juvenile affairs, the new law only addresses the second and fourth judicial districts. Ramsey County comprises the second district and Hennepin County the fourth. The measure does not include juvenile delinquency proceedings.

Officials testified during the session that the issue came from a pilot program that started in 1996. The program placed all cases such as divorce, domestic abuse, or child protection with the same judge or referee.

The process allows the family and the judge to become familiar with each other and helps the judge when making decisions about family matters.

Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Richard Cohen (DFL-St. Paul) sponsored the law.

HF3344*/SF2892/CH242

GAMBLING

Spending net profits

Bigger bingo jackpots in the state will have to wait.

Gov. Jesse Ventura signed an omnibus gambling law May 21 that does not include a House proposal to allow linked bingo games.

As it originally passed the House April 9, the bill would have allowed establishments like American Legion posts or VFWs to link themselves via satellite or other technology so multiple sites could combine their pools into a larger pot.

The House bill also would have allowed

electronic bingo devices that let players play multiple cards at the same time. The player enters the bingo caller's selection into a device that determines what cards contain the number-letter combination.

The Senate amended the bill to require the Gambling Control Board to draft model rules relating to linked bingo games and electronic bingo devices and report back to the Legislature by Feb. 1, 2003.

Rep. Mike Osskopp (R-Lake City), the House sponsor, said May 17 that given the late hour he agreed to the Senate changes so that other provisions in the bill could go forward rather than go to conference committee to negotiate the differences between the two bodies.

"All that is left are minor provisions that will help out your legions and VFW. This is a watered-down bill," he said.

Effective May 22, 2002, the new law will allow veterans organizations more flexibility in spending net profits from lawful gambling.

Prior law lists a number of purposes for which organizations such as VFW or American Legion posts may use lawful gambling profits including paying taxes, contributing to a community arts organization, or helping a person or family suffering from poverty or homelessness.

FOND FAREWELL



PHOTO BY ANDREW VON BANK

Rep. Harry Mares, right, gets a farewell handshake from Rep. Jim Knoblach after his retirement speech on the House floor May 19. Mares, the House sponsor of the Minnesota Twins stadium bill, is retiring after eight years in the House.

The new law will add the paying of utility bills for a building owned or leased by and used as the primary headquarters of a veterans organization to the list.

Organizations will also be allowed to pay up to \$5,000 per year in net costs for meals and other membership events, limited to members and spouses.

The House passed the law 89-36 May 17, and the Senate passed it 59-3 two days prior. Sen. Jim Vickerman (DFL-Tracy) is the Senate sponsor.

★ GAME & FISH

Overlimit penalties

A new law will stiffen penalties for those who violate the state's hunting and gaming limit laws, targeting people who illegally take wild game or fish worth more than \$500.

Effective March 1, 2003, the new law will allow Department of Natural Resources enforcement officers to seize boats, motors, and trailers used in the illegal activity. The DNR is also authorized to seize the hunting licenses of the individuals involved.

If the hunter or hunters unlawfully take more than \$5,000 worth of fish or wild animals, the state will be able to immediately seize all of their hunting and gaming licenses.

People who poach wild animals or fish worth more than \$1,000 will be guilty of a gross misdemeanor.

The law assigns dollar values for fish and wild animals. A canvasback, for instance, is worth \$100 while a trumpeter swan is valued at \$1,000. The base restitution value for a yellow perch is \$10.

The new law will allow for those found in violation to petition the DNR commissioner or a court to review the seizure of the license.

People convicted of illegally taking wild animals worth more than \$5,000 will be barred from obtaining a hunting license for five years. The same restriction will apply to those who poach animals worth more than \$500 within 10 years of previous license revocations related to similar offenses.

Commercial anglers will be exempt from the penalties if they are found to "incidentally" take too many fish and then release them.

Rep. Bill Haas (R-Champlin) and Sen. Jane Krentz (DFL-May Township) were the law's sponsors.

HF94/SF222*/CH270

ATV use, duck decoys

The Department of Natural Resources will be required to form a task force to study all-terrain vehicle use in state forests, under a new law.

The recreational vehicles came under scrutiny during 2002 after a newspaper series documented widespread environmental damage in some state forests from unregulated riding.

Under the omnibus game and fish law, the task force will be required to report back to the Legislature by Jan. 15, 2003 with recommendations on how to best proceed with new trail development while protecting the environment from soil erosion, among other things.

The DNR will be obligated to include a number of different viewpoints, including off-highway vehicle users, forest managers, and other people who use the forest without motorized vehicles.

Rep. Dennis Ozment (R-Rosemount) proposed the task force as a compromise measure to quell concerns by environmentalists and ATV groups. A conference committee co-chaired by Ozment and Sen. Jane Krentz (DFL-May Township), sponsors of the law, adopted the plan as an amendment.

Besides the motorized trail task force, the new law will allow a limited prairie chicken harvest. Interested hunters will be required to pay a \$4 application fee to be eligible for a license. The DNR will then pick hunters through a lottery system. The license fee is \$20.

This section of the law takes effect March 1, 2003.

The new law also bans the use of motorized duck decoys during part of the duck-hunting season, specifically opening day through the Saturday closest to Oct. 8.

In addition, the new law restricts recreational shining — the practice of using car headlights or a flashlight to spot deer. Shining onto residential properties at night from a moving car and on posted agricultural lands will be prohibited beginning Aug. 1, 2002.

HF2920/SF2674*/CH351

★ GOVERNMENT

Public TV upgrade

A new law will provide \$7.8 million to public television stations to assist them with a conversion from analog to digital signals. It became law after the Legislature voted to override Gov. Jesse Ventura's veto of the measure.

The law will also provide \$7.8 million in bonds to the Metropolitan Council for design and construction of bus garages.

A mandate from the Federal Communications Commission requires that all public television stations convert to a digital signal by May 2003.

Beginning in 2003, stations will still be able

to broadcast with an analog signal provided they have a digital signal, as well. Once 85 percent of the homes in the station's market are capable of receiving a digital signal, the station will be required to stop using its analog transmissions.

In making the motion to override the veto, Rep. Dave Bishop (R-Rochester), the House sponsor, said that without the preliminary funding 10 public television stations in the state would "go dark by May 1, 2003."

"Public television benefits to the state of Minnesota are incredible," Bishop said.

The initial \$7.8 million appropriation was contained in the state government finance law passed during the 2001 special session and signed by Ventura. The law required the Department of Administration and the Minnesota Public Television Association to negotiate an agreement specifying state and local benefit for the digital capability before the money would be distributed in the form of grants to local public television stations. However, the governor advised the commissioner of administration not to sign the agreement so the grants were never disbursed.

In his veto message, Ventura wrote that the bill doesn't provide an adequate level of direct benefit for the state given the investment being made. He said the bill "adds to the state's obligations at a time when we have depleted our reserves and there is still a gap between revenues and expenditures, both in the current budget and the next."

Effective April 10, 2002, the new law will fund the public television appropriation by transferring a general fund appropriation to the Met Council for the bus garages. The Department of Finance will then sell bonds and appropriate the proceeds to the council.

Sen. Keith Langseth (DFL-Glyndon) was the Senate sponsor.

HF197*/SF107/CH280

Employee data privacy

A new law will provide some privacy and protection to the family members of public employees.

For the most part, public employees' personnel data is public information. Data such as the employee's name, salary, job title, education, and training background is all public.

Effective Aug. 1, 2002, the new law specifies that data pertaining to an employee's dependents is private data.

State law already classifies some information as private, such as information relating to a person who is doing undercover law enforcement work or employee assistance data where the employee seeks counseling in a diagnostic or referral services program.

Rep. Mark Thompson (DFL-New Hope), the House sponsor, said that for safety reasons certain law enforcement personnel data is considered private, but prior law did not provide the same protection to family members.

The new law will also transfer duties relating to the administration of the Social Security program for public employees from the Department of Employee Relations to the Public Employees Retirement Association.

Sen. John Marty (DFL-Roseville) was the Senate sponsor.

HF3296*/SF3206/CH243

Filling township board vacancies

Town boards will be able to fill temporary vacancies, under a new law effective Aug. 1, 2002.

The new law will authorize townships to appoint another person to serve in place of a board member who is unable or unwilling to serve after a 90-day period.

Rep. Dennis Ozment (R-Rosemount), the House sponsor, said the issue was brought to him by officials from the Minnesota Association of Townships.

Prior law specified the circumstances under which an elected position could be defined as vacant. Those included the death of the incumbent, the resignation of the incumbent, the incumbent moving out of state, a conviction for an "infamous" crime or violation of official oath, or the official's refusal to take the oath of office.

The new law will allow town boards to declare and fill vacancies when an officer is unable or unwilling to serve in the office or attend board meetings for a 90-day period because of illness or absence.

Under the new law, town boards can declare a vacancy exists by resolution, and the board will be allowed to make an appointment to fill the vacancy for the remainder of the unexpired term or until the absent member is able to resume duties, whichever occurs sooner. If the original member were later able to resume his or her duties, the board will be required by resolution to remove the appointed officeholder and restore the original member to office.

Sen. Jim Vickerman (DFL-Tracy) was the Senate sponsor.

HF2637*/SF2472/CH241

Signing design documents

A new law relaxes some of the signature requirements for certain building and construction-related documents.

State law previously required any licensed architect, engineer, land surveyor, landscape

SENATE CHALLENGE



PHOTO BY ANDREW VON BANK

After a tearful goodbye to the body May 19, Rep. Sharon Marko gets an embrace from Rep. Peggy Leppik, who is also retiring. Marko is seeking a seat in the Minnesota Senate, where she said she hopes to continue serving her constituents.

architect, geoscientist, or certified interior designer to physically sign each plan, specification, plat, report, and other official documents they prepare.

The new law eliminates the signature requirement on documents prepared in those licensed professions that are drafts, or are of a preliminary, schematic, or design development nature.

The law will still require a signature on the final version of the documents.

Officials from the state Board of Architecture, Engineering, Land Surveying, Landscape Architects, Geoscience, and Interior Design testified that prior to the law the practice of most in the industry was to only sign the final version of documents.

Effective March 16, 2002, the new law also adds drawings to the list of documents covered under state law and specifies that a stamp, printed signature, or electronic signature has the same force and effect as a handwritten signature if it creates an accurate depiction of the original signature.

Rep. Jim Rhodes (R-St. Louis Park) and Sen. Linda Scheid (DFL-Brooklyn Park) were the sponsors.

HF2612*/SF2562/CH245

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

★ GREATER MINNESOTA

New cities created

Two new Minnesota cities may be created, under a new law effective March 27, 2002.

The new law will allow the cities of Rockville and Pleasant Lake to consolidate with Rockville Township into a single city.

Under previous law, consolidation was allowed between two cities but not between a city and a township.

The communities involved are required under the new law to hold public hearings after developing a consolidation plan. The plan must be developed within one year after the law's effective date.

The governing bodies of each participating city and town are required to approve the consolidation plan. The new law also required voters in each community to approve the plan, which they did on April 29.

The cities of New London and Spicer will also be allowed to consolidate with the township of New London under the measure.

A provision of the new law also permits the city of Montgomery, by ordinance, to abolish its ward system and provide for election of at-large council members. The law requires the city to adopt the ordinance by July 1 of the year in which the wards would be eliminated.

Rep. Doug Stang (R-Cold Spring) and Sen. Michelle Fischbach (R-Paynesville) were the sponsors of the law.

HF2933/SF2546*/CH296

Bioterrorism plan passes

The governor signed a new law May 22 clarifying the emergency powers of the executive branch in the event of a bioterrorist attack.

The Legislature gave final approval to a conference committee report on the measure in the final hours of the 2002 session. The House passed the bill 117-16 on May 18, and the Senate backed it 55-3.

The vote came after the House voted 94-31 on May 16 to send the measure back to conference committee, dealing it a near-fatal blow for the session. Some members raised concerns that the bill would infringe on civil liberties and give the executive branch too much power.

House and Senate conferees then narrowed the bill's scope. House sponsor Rep. Richard Mulder (R-Ivanhoe) said the measure was just the start of a lengthy process to improve the state's ability to respond to an attack.

"Now is the time to create some resemblance of a plan," Mulder said.

Despite the revisions, Rep. Lynda Boudreau (R-Faribault) expressed concern, saying the law could potentially trigger emergency powers for events unrelated to bioterrorism.

Effective May 23, 2002, the law largely clarifies the powers of the governor and the health commissioner that already exist under current state law.

Known as the Minnesota Emergency Health Powers Act, it will make a "public health emergency," which includes bioterrorism, a trigger of the governor's authority to declare a national security or peacetime emergency.

The measure will expire Aug. 1, 2004, prompting the Legislature to revisit the issue.

It will permit the governor to commandeer medical supplies and facilities during a declared emergency. But the law will also place a number of checks on the executive branch, including requiring a court order to quarantine or isolate people and granting the Legislature the authority to terminate a governor's emergency declaration.

Besides bioterrorism, a public health emergency will include the appearance of a new, novel, previously controlled or eradicated airborne infectious agent or airborne biological toxin.

The health emergency will also have to pose a high probability of causing a large number of deaths or a large number of serious or long-term disabilities to trigger the emergency powers.

Sen. John Hottinger (DFL-Mankato) was the Senate sponsor of the law.

HF3031*/SF2669/CH402

Legislative oversight

The Legislature will be required to approve state agency rules related to the Minnesota Clean Indoor Air Act, under a new law signed by the governor May 18.

However, the oversight, effective Jan. 1, 2003, is not required for rules governing smoking in office buildings, factories, warehouses, and healthcare facilities.

Rep. Marty Seifert (R-Marshall), sponsor of the provision that was tucked into an omnibus health and human services policy bill, has argued that the Department of Health has overstepped its authority by imposing smoking restrictions on restaurants and cafes.

Small business owners have been faced with purchasing expensive filtering systems to comply with the rules, he said.

Meanwhile, Rep. Phyllis Kahn (DFL-Mpls) objected to further restrictions on rulemaking, arguing it will limit the department's ability to curb second-hand smoke in public areas.

Besides the rule oversight provision, the new law contains a number of technical changes to state health and human services licensure requirements.

Local fire code inspectors will be allowed to charge a daycare provider a \$50 fee for an inspection.

Some providers in Greater Minnesota have requested the measure because the state fire marshal has cut back on inspections due to budget cuts.

The provision sparked debate on the House floor when opponents called it unfair to daycare providers since many other businesses don't have to pay for the inspection.

Rep. Kevin Goodno (R-Moorhead) and Sen. Linda Berglin (DFL-Mpls) were the sponsors.

HF3236/SF3099*/CH375

Donated dentistry

Dentists will be permitted to volunteer their services to low-income patients, under a new law signed by the governor May 22.

The House passed the measure 128-5 on May 18 after adopting a conference committee report on the bill, sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Sheila Kiscaden (R-Rochester).

It cleared the Senate 62-0 the same day.

During a March committee hearing, Dominic Sposeto, who represents the Minnesota Dental Association, said the program has yielded a high rate of return on state dollars in other parts of the country.

Thirty-two states have established similar programs.

For states that have had volunteer dentists for at least five years, \$1 of state money has

been matched by \$8 in pro bono care, he said.

The measure includes a \$75,000 appropriation for fiscal year 2003 to implement the donated dental services program. It will also appropriate \$50,000 for medical liability insurance.

Effective July 1, 2002, the new law also contains a provision allowing mortuary science practitioners to apply for an emeritus status upon retiring from the profession in good standing.

HF3350*/SF2811/CH399

Drug administration

The state's emergency medical groups will be required to develop a plan by Sept. 1, 2002 to equip all Minnesota ambulances with epinephrine, under a new law.

The stimulant is used to treat life-threatening allergic reactions.

While nearly all ambulances in the Twin Cities metropolitan area already carry epinephrine, about 40 percent of ambulances in Greater Minnesota go on runs without the drug.

At a hearing before a House-Senate conference committee, doctors and parents of children with potentially fatal food allergies called for a law mandating that all ambulances be stocked with the stimulant.

The Minnesota Ambulance Association, however, expressed concern about establishing a mandate in state law requiring ambulances to carry the drug.

O.J. Doyle, a lobbyist for the association, said ambulance providers preferred to establish a statewide plan on their own.

The section of the law related to epinephrine is effective May 9, 2002.

Also, under the new law, registered nurses will be allowed to administer prescription drugs and vaccines to patients that display symptoms consistent with conditions outlined in a protocol. That section is effective July 1, 2002.

Rep. Jim Abeler (R-Anoka) and Sen. Deanna Wiener (DFL-Eagan) were the sponsors.

HF3359*/SF3005/CH362

Organ donation

A new law will ensure that the wishes of people who intend for their organs be donated when they die are honored by their families.

The law, called the Darlene Luther Anatomical Gift Act, will make sure that people who designate themselves as organ donors on their driver's licenses ultimately become donors. It is effective April 25, 2002.

Rep. Phyllis Kahn (DFL-Mpls), who

sponsored the measure with Sen. Jane Ranum (DFL-Mpls), said most people assume that marking the box on their driver's license form means they will be a donor.

But that designation is often ignored or overridden by family members after the person's death, Kahn said.

Donors would still be able to change their donor designation at any time, under the law.

Effective Dec. 1, 2002, an additional provision requires that people applying for a driver's license or state identification card be given information about organ donation. That information includes a description of donation, the importance of letting family members know of one's wishes, and a telephone number of a certified Minnesota organ procurement organization one may contact for more information.

The law is named after the late Rep. Darlene Luther (DFL-Brooklyn Park). Luther, who died Jan. 30 of cancer, had received a liver transplant.

HF2473*/SF2807/CH349

Raising awareness

A new law will provide a plan to increase awareness about organ donation.

Sponsored by Rep. Carol Molnau (R-Cologne) and Sen. Linda Scheid (DFL-Brooklyn Park), the new law will require driver's education programs to teach new drivers about



Kathy Bakkenist, chief operating officer of LifeSource, an independent organization that matches organ donors to recipients, testified in support of a bill during the Jan. 30 House Civil Law Committee meeting. The bill, which is now law, will make organ donor designation on a driver's license considered conclusive legal intent to donate organs.

organ donation. Public and private school driver's education classes, as well as commercial driver training schools, will be required to teach students about their options.

It will also require schools to inform students of the opportunity to become a donor when they apply for a driver's license, and stress the importance of sharing the decision to be an organ donor with family members.

From now on, the state driver's manual will also contain information about organ donation.

The state now allows drivers to check a box on their driver's license application or renewal forms to indicate they wish to donate their organs when they die.

Most people support organ donation but many don't think about it when applying for or renewing their license, Molnau said.

The new law is effective Aug. 1, 2002.

HF3328/SF3278*/CH305

Contact lens prescriptions

Effective Aug. 1, 2002, patients will have better access to their contact lens prescriptions.

Under a new law, any professional performing an eye exam, including an optometrist or physician, must provide patients a copy of their prescription after an exam and fitting. The patient, however, may be required to pay for the exam to receive the prescription.

The contact lens prescription will be valid for two years unless a different expiration date is warranted for the patient's eyesight.

Eye doctors will also be required to promptly respond to requests from other professionals who seek to verify the patient's prescription.

Further, optometrists and physicians will be barred from charging a fee for releasing the prescriptions and requiring patients to purchase a specific brand of lenses only available through the prescribing eye doctor.

Failures to comply with the new law will result in disciplinary action by the state Board of Optometry.

Rep. Erik Paulsen (R-Eden Prairie) and Sen. Sheila Kiscaden (R-Rochester) were the sponsors.

HF2603/SF2627*/CH259

Commitment change

A new law will give police and family members of mentally ill people more discretion in having the person taken to a medical facility if they pose a danger to themselves or others.

The change strikes the word "imminent" from current law used by law enforcement to determine whether a person poses an "imminent danger" to themselves or others.

Effective Aug. 1, 2002, the law will also require the state Department of Human Services to conduct a study and report to the Legislature regarding the unmet health needs of Minnesotans.

In response to a March shooting by Minneapolis police of a machete-wielding Somali man, Rep. Karen Clark (DFL-Mpls) added a provision on the House floor that will require the Department of Human Services to study the specific mental health needs of the immigrant and refugee communities.

Rep. Mindy Greiling (DFL-Roseville), the House sponsor, said during floor debate that the measure is widely supported by those in the medical and law enforcement fields and has little opposition.

Sen. Linda Berglin (DFL-Mpls) also sponsored the law.

HF2735/SF2457*/CH335

Dentist disclosure

A new law will require that the Minnesota Board of Dentistry be informed of dental professionals who are unable to practice because they have been impaired by an illness or drug use.

Effective Aug. 1, 2002, the law applies to dentists, dental hygienists, or dental assistants.

The new law specifically relates to professionals "unable to practice with reasonable skill and safety" stemming from a physical or mental condition or substance abuse.

Healthcare facilities will be required to report any disciplinary action taken against the dental professional to the state Board of Dentistry along with notice if the individual resigned.

Additionally, dental associations will be obligated to report any termination of memberships related to a dental professional's impairment.

The disclosure requirement will also apply to any licensed health professional with knowledge of the individual's inability to practice.

Healthcare facilities and individuals that submit reports to the Minnesota Board of Dentistry in good faith will be protected from civil liability and criminal prosecution.

Rep. Dan McElroy (R-Burnsville) and Sen. Don Samuelson (DFL-Brainerd) sponsored the law.

HF3193/SF2957*/CH341

Nursing wage rates

A new law regulating temporary nursing agencies is aimed at putting an end to litigation stemming from a law enacted last year.

The measure, sponsored by Rep. Fran Bradley (R-Rochester) and Sen. Dallas Sams (DFL-Staples), will revise a 2001 law that caps

temporary nurses' wages at 150 percent of what permanent workers earned.

Effective April 10, 2002, the legislation was drafted as part of an effort to rein in escalating costs to the state's nursing homes as Minnesota faces a serious nursing shortage — officials estimate 3,500 openings for nurses statewide.

Agencies objected to the cap and battled the prior law in court. The companies said the law neglected to factor in payroll taxes and differences in pay for weekend shifts.

The temporary nursing agencies have dropped the lawsuit.

The new law will no longer exempt "in-house" temporary nursing pools from the regulations.

It will require the temporary nursing agencies to secure liability protections, maintain workers' compensation for employees, and register with the Department of Revenue. Further, the agencies will be required to document that independent contractors had not been hired.

HF2664/SF2459*/CH287

Telemedicine assistance

A new law will permit out-of-state physicians to practice telemedicine in Minnesota, provided they meet a number of licensure requirements in their home state.

Telemedicine is defined in the law as the "practice of medicine when the physician is not in the physical presence of the patient."

Sponsors testified the law primarily targets physicians who practice medicine over the Internet.

The physician will be required to register with the Minnesota Board of Medical Practice and pay a \$75 annual fee and a \$100 application fee.

Doctors will be obligated to meet a number of other standards outlined in the law, including having a license to practice medicine without restriction in their home state.

They will also be barred from opening an office in this state to meet with or receive calls from patients.

Exemptions from the registration requirements will apply to physicians responding to an emergency medical condition, those who offer services on an infrequent basis, and doctors who consult with Minnesota physicians that maintain authority over a patient's diagnosis and care.

Rep. Richard Mulder (R-Ivanhoe) and Sen. Steve Kelley (DFL-Hopkins) sponsored the law, effective Aug. 1, 2002.

HF3346/SF3026*/CH361

Reducing medical costs

Effective Aug. 1, 2002, a new law will allow Hennepin County to save costs on purchases for the Hennepin County Medical Center and other clinics.

Under previous law the medical center contracted with a consortium to participate as a member of a group purchasing program. Municipal purchasing law requires the county to contract with the lowest bidder that meets specifications.

Sponsored by Rep. Ron Abrams (R-Minnetonka) and Sen. Martha Robertson (R-Minnetonka), the new law will allow the county to award bids based on "best value." The county will be able to base contracts on behalf of the medical center, ambulatory health center, and other clinics using price as a factor, but not necessarily as the lone determination.

Abrams said that through participation in the group purchasing program the medical center saves around \$1.6 million per year by accessing reduced prices for medical supplies, equipment, and pharmaceuticals.

The new law specifies that the county is authorized to enter into a contract with a private or public cooperative purchasing organization on behalf of medical centers and clinics if it can be established that the contracts have been awarded through a competitive request for proposal process.

HF3224/SF3034*/CH302

HIGHER EDUCATION

Agent registration

Agents wanting to associate with student-athletes in Minnesota will need to pay to do so, under a new law.

Sponsored by Rep. Peggy Leppik (R-Golden Valley) and Sen. Deanna Wiener (DFL-Eagan), the new law will require agents to register with the state commerce commissioner before contacting a prospective client. It takes effect Jan. 1, 2003.

Drafted by the National Conference of Commissioners on Uniform State Laws, the law is designed to standardize state regulations that govern agent conduct with student-athletes. Leppik said it has been enacted in 11 states and is pending in many others.

Although there have been no problems in Minnesota that she is aware of, Leppik said there have been "too many issues nationwide of the unethical performance of agents jeopardizing the eligibility of student-athletes."

An agent wishing to register in the state will be required to pay a \$500 fee that would be valid for two years. Renewals will cost \$400.

Parents wishing to represent their own children will be exempt from the fee.

Agents contacted by student-athletes, but not yet registered with the state, must do so within seven days, under the new law, and they cannot enter into an agreement until registered. Included on the registration will be the agent's formal training, experience, and other individuals represented by the person.

Agents who violate the act could be assessed a civil penalty of up to \$25,000 per incident.

The new law calls for a contract to clearly state that signing with an agent could affect the student-athlete's eligibility. It will also give student-athletes 14 days to cancel an agreement after it is signed. Furthermore, once an agreement is signed the student-athlete's school must be notified within 72 hours, or before the next game, whichever is earlier.

HF2719*/SF2827/CH332

HOUSING



Affordable housing costs

Cities will soon be able to take steps to ensure affordable housing remains affordable for low-to moderate-income households for up to 20 years, under a new law, effective Aug. 1, 2002.

Often, cities grant housing developers breaks on regulatory provisions, such as zoning. Typically the units are affordable at first, but cities previously had no ability to require the owner to keep those costs manageable for lower-income families.

The new law will require cost qualifications to maintain affordability over time.

Cities will be allowed to impose the following requirements on affordable housing:

- certain sale prices or rents for the affordable units;
- maximum income limits for buyers or renters of the units;
- means for maintaining long-term affordability, by using equity sharing, for example; and
- land trust agreements for the units.

A land trust is when an organization, usually a nonprofit, leases a lot to developers, who pay rent on the land. Developments built on leased land are much less expensive than those built on purchased land.

A city would be allowed to impose such requirements for up to 20 years.

The law was amended during debate on the House floor with a provision not directly related to the other housing portion. The new language will also allow cities or towns to prepare a statement of potential housing fiscal changes.

The fiscal note would report regulation

changes that could increase or decrease costs for a housing development. The changes could include the location, height, width, type of foundation, number of stories, or design of residential housing in a city or town that has adopted the state building code and is located in a county with a population of 30,000 or more, according to the new law.

The statement would also explain the long-term implications, alternatives to, and rationale for the proposed changes.

Rep. Ray Vandever (R-Forest Lake) and Sen. Richard Cohen (DFL-St. Paul) sponsored the legislation.

HF3169/SF2881*/CH315

Real estate disclosure

A new law is designed to protect the rights of people buying a home.

Effective Jan. 1, 2003, the new law will require people selling a home to tell buyers if there is something wrong with the home that could, "adversely and significantly" affect the buyer's interest in the property.

Rep. Mary Liz Holberg (R-Lakeville) and Sen. Ann Rest (DFL-New Hope) sponsored the law.

Holberg said the law will help protect home buyers and will shield real estate agents from being sued for problems that they were not told about by the home's sellers.

The law does not apply to certain property transfers, such as those between family members or those related to divorces or inheritance.

It also includes certain protections for sellers who did not disclose problems because they were unaware of the problem or did not have the technical knowledge needed to determine that the problem existed.

A provision in the law also allows the sale of property "as is" if both parties agree that no legal action will be taken after the sale.

A similar measure, also signed into law, clarifies that real estate agents do not have to disclose certain information about a house, such as if it was the scene of a homicide or if it is near a nursing home or group home.

HF3079/SF2697*/CH306

HUMAN SERVICES

Reporting incidents mandated

Physical aggression between mentally retarded residents at licensed group homes and other state facilities will warrant reports to the individuals' legal representatives and case managers, under a new law.

Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. John Marty (DFL-Roseville), the new law will add "consumer-on-consumer" aggression to a list of incidents caregivers are required to keep guardians informed about.

Under the law, a caregiver will be obligated to report the incident within one day of learning of the problem.

Besides physical aggression, the following circumstances will be added to the state's list of reportable incidents: medical emergencies, unauthorized absences, and coerced sexual activity between residents.

When the incident involves two residents, the caregiver is barred from disclosing "personally identifiable information" to the legal representative about the other resident.

If the caregiver has reason to believe the resident's legal representative or case manager is involved in the wrongdoing, he or she will not be required to report the incident to that person.

The information in the report will need to include the nature of the incident, the agency that received the report, and the telephone number of the Department of Human Services licensing division.

The new law is effective Aug. 1, 2002.

HF3091/SF2764*/CH289

Hospice bill of rights created

A new law will establish a bill of rights for hospice care patients.

Under the new law, the state will be authorized to suspend a caregiver's license if the terminally ill patient's rights are violated. The provider will be entitled to receive notice from the Department of Health and a hearing.

In addition, patients will be entitled to 22 rights ranging from the right to "be free of physical and verbal abuse" to the right to refuse treatment. The law will take effect when the Department of Health updates the licensure guidelines regulating hospices under Minnesota Rules.

Hospice caregivers will now be required to inform prospective patients of their rights before they sign on to a care plan. Once the patient has agreed to a care plan, the hospice provider must keep them informed of all medical costs even if the treatment is billed to a third party.

Medical and financial information will also be kept confidential, but patients will have the right to access their own records.

Furthermore, the patient is entitled to have their pain managed at a "desired level of comfort."

Under the new law, the patient will be able assert his or her rights, or if the individual is

deemed incompetent, the family can assert rights on their behalf.

If hospice providers fail to meet these standards, the state will be allowed to take action in court.

Rep. Kevin Goodno (R-Moorhead) and Sen. Linda Berglin (DFL-Mpls) sponsored the legislation.

HF2531*/SF2381/CH252

Informing foster parents

A new law will require that foster parents be informed of children's communicable diseases before they begin caring for them.

Rep. Barb Sykora (R-Excelsior), House sponsor of the law, said disclosure practices vary widely among the state's counties. Some officials have expressed concern that informing foster parents about the diseases would violate the state's Data Practices Act, she said.

Under the new law, counties and child-placement agencies will be bound by the disclosure requirement. It will also apply to adults with communicable diseases who need care by foster parents.

The agencies will further be obligated to determine whether the foster parents are able to care for the child.

Sen. Sheila Kiscaden (R-Rochester) was the Senate sponsor. The new law is effective Aug. 1, 2002.

HF2932/SF2614*/CH290

Behavior disclosure

School districts will be required to disclose an employee's record of violent behavior or sexual misconduct on the job to a prospective employer at another school, under a new law.

The disclosure requirement is dependent on obtaining "written, informed consent" of the employee, however.

After agreeing on Senate revisions to the bill, the House re-passed the measure 117-14 on May 18. The Senate vote was 58-2 the same day.

Effective July 1, 2002, the new law also includes a provision protecting employers from liability for disclosing information about disciplinary action taken against a current or former staff member at a licensed facility serving children, mentally retarded people, or the developmentally disabled, among others.

Rep. Jim Abeler (R-Anoka), the House sponsor, said the measure codifies common law, noting that many providers refrain from providing references beyond disclosing dates of employment for fear of breaking the law.

Employers may disclose the employee's compensation, job description, duties, and

training and education provided on the job.

Additionally, employers will be permitted to reveal information about behavior that resulted in disciplinary action or resignation, including acts of violence, theft, harassment, and other illegal conduct.

Sen. John Hottinger (DFL-Mankato) was the Senate sponsor.

HF3092*/SF3085/CH396

Employee screening

A new law will add a number of crimes to a list of offenses barring applicants from jobs at facilities serving the state's most vulnerable citizens.

Effective Aug. 1, 2002, additional offenses that will ban people from caring for children or adults at a licensed family daycare or a state facility will include first- or second-degree manslaughter, aggravated robbery, kidnapping, and stalking.

The commissioner of the Department of Human Services will not be allowed to set-aside disqualifying records with those crimes.

The department's practice of setting aside the records and subsequently employing people with serious criminal backgrounds at facilities serving mentally retarded citizens and other vulnerable people came under fire last fall in news reports.

The new law will allow the commissioner to continue using discretion in granting set-asides for other criminal offenses. However, the department will be required to inform the

employee's supervisor of the individual's offense.

Rep. Jim Abeler (R-Anoka), the House sponsor, said after an examination of the department's policies, he found that overall, the system works well.

The state conducts thorough criminal background checks, he said, and the department has hired a relatively small number of people who would have otherwise been disqualified due to their criminal pasts. Of those granted set-asides, only two went on to re-offend, he said.

Under the new law, the department will be directed to further review its criminal screening and set-aside policies. The report to the Legislature will be due Jan. 15, 2003.

The state Supreme Court will also be required to make recommendations to the Legislature by July 15, 2003 on how best to track civil actions stemming from sexual abuse incidents.

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

HF2757/SF2692*/CH292

★ INDUSTRY

Low-powered technician license

Instead of sending licensed electricians to work on low-powered electrical systems, companies will soon be able to use a "power-limited technician," a person licensed to perform and supervise work on technology circuits and systems.

Effective Aug. 1, 2002, a new law will create licensing requirements, as well as modify, existing statutes to allow this type of electrical work.

The new law clarifies previous law, which the state Board of Electricity interpreted to mean that only licensed electricians could perform any kind of electrical work, even when there was not a safety concern, said Rep. Erik Paulsen (R-Eden Prairie), House sponsor of the law.

Some examples of non-dangerous wiring work are installation of burglar alarms, landscape lighting, telecommunications, stereos, and other low-voltage wiring systems.

Electrical unions had previously opposed the law because they thought electricians would lose some business, according to supporters. But this year the unions agreed with the legislation after supporters in the Senate voted to pass the law.

A power-limited technician is defined in the new law as a licensed person having the experience and knowledge to install, repair, or supervise the installing or repairing of electrical wiring for technology systems. This technician is permitted to supervise up to five unlicensed people, whereas a licensed electrician can supervise up to two people.

Sen. Dan Stevens (R-Mora) sponsored the law in the Senate.

HF1683/SF2150*/CH328

New telecommunications laws

A new law makes minor changes to the state's telecommunications statutes.

Effective Aug. 1, 2002, the new law will instruct the state commerce commissioner to contract with a telephone company that meets the department's approval instead of a local consumer group, as is required in current law, to provide telecommunication relay services to its hearing-impaired consumers.

In addition, the new law will change the name of the fund used to pay for the services to more clearly reflect that the funds provide access for communication-impaired people. "Telecommunication Access for Communication-Impaired Persons" will become "Telecommunications Access Minnesota Fund."

Further, telephone companies will be permitted, upon a customer's approval, to send a customer's bill electronically instead of by paper.

The new law also allows, upon local approval, two Alexandria utilities to formalize a relationship to provide local niche service. The new law says that the city may enter into a joint venture with Runestone Telephone Company and Runestone Electric Association.

PARTING HUGS



PHOTO BY ANDREW VON BANK

After saying goodbye to the body May 19, Rep. George Cassell gets a tearful embrace from Rep. Carol Molnau, who is also leaving. Cassell is seeking a Senate seat, and Molnau is running for lieutenant governor.

The sponsors were Rep. Ken Wolf (R-Burnsville) and Sen. James Metzen (DFL-South St. Paul).

HF3125*/SF2987/CH329

★ INSURANCE

HMO limits go up

Health maintenance organization (HMO) enrollees will be paying more in deductibles and co-payments, under a new law.

The provision is attached to Department of Commerce housekeeping legislation that was signed by the governor May 22.

The maximum annual deductible would be raised from \$1,000 to \$3,000 per person, or \$6,000 per family.

The maximum annual out-of-pocket expense is presently \$3,000 per person and \$5,000 per family. Those amounts would be raised to \$4,500 and \$7,500.

These changes will be effective Aug. 1, 2002.

Effective May 23, 2002, cosmetologists, manicurists, and estheticians from other states can obtain reciprocal licenses.

The new law also increases from four to seven the number of hours each license period that a real estate appraiser must spend in continuing education about the laws regulating standards of professional practice. The provision was in the original bill, amended out on the House floor, but was put back in during a conference committee. This provision is effective for licenses issued or renewed after May 23, 2002.

Another amendment from the House floor did not survive the committee. It would have prohibited suppliers of agriculture products — seed corn dealers or cooperatives — from offering discounts to entice a customer to buy insurance.

Rep. Bill Haas (R-Champlin) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the law.

HF2989/SF3024*/CH387

Credit scoring

A new law will regulate the use of the insurance practice known as “credit scoring” in determining automobile and homeowner policies in the state.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Dave Johnson (DFL-Bloomington), the new law will prohibit insurers from rejecting, canceling, or not renewing automobile or homeowners insurance in whole or in part solely on the basis of credit information.

Credit scoring, which differs from a credit report, attributes a “score” to a person based on personal borrowing and spending habits.

The practice was developed by mortgage lenders to determine the risk of an applicant in defaulting on a loan.

The new law will require insurers who use credit scoring in their underwriting to file the scoring methodology and information that supports the insurer’s use of a credit score with the Department of Commerce.

It will also prohibit credit scoring if the scoring incorporates gender, race, nationality, or religion of an insured person or applicant.

To address concerns of people whose credit histories have been adversely affected by personal circumstances, such as a death to a loved one or a long-term illness, the new law will require insurers to provide reasonable underwriting exceptions upon request by applicants or policyholders.

Insurers will also be prohibited from using a credit score when the applicant’s score is adversely affected by the lack of a credit history.

The new law is effective Aug. 1, 2002.

HF2492/SF2363*/CH357

No more free steaks

The Legislature voted to override Gov. Jesse Ventura’s veto of a bill that will change the legal standard used to pay auto glass claims, making the bill law, effective March 28, 2002.

Sponsored by Rep. Ken Wolf (R-Burnsville) and Sen. James Metzen (DFL-South St. Paul), the new law changes the previous standard by which insurance companies had to pay glass claims from a “competitive price” to “fair and reasonable.”

Previous law required insurance companies to pay market price for glass replacement as determined by a survey of costs charged in communities around the state.

The new law will also prohibit glass replacement companies from offering inducements, such as a box of steaks, to consumers. Prior law restricted such incentives to items with a value of \$35 or less.

In his veto message, Ventura wrote that the bill does not support consumers and consumer choice. He said just taking into account the cost of the repair would ignore important factors such as advertising and service costs and would be detrimental to small shops.

Ventura also said no evidence exists that the bill would cause premiums to decrease.

Wolf said the state changed its laws in 1991 so that auto glass claims were treated differently from auto body claims. The law required insurance companies to pay all “reasonable” costs, which he said led to companies being required to pay the cost of whatever was billed.

A compromise between the auto glass repair and insurance industries led to Wolf

sponsoring the law that created the market survey, but he said that did not work.

According to information provided by American Family Insurance on claims filed between Jan. 1, 2001 and Oct. 31, 2001, the range of the costs was from \$334 to \$1,064. Wolf said that the national average is \$368 and in Minnesota it is \$441.

A compromise addressed concerns expressed by members about the practice of “steering” where insurance companies allegedly point consumers to preferred repair shops.

The new law requires that when an insurer recommends a vendor, the insurer will be required to provide the following disclaimer: “Minnesota law gives you the right to go to any glass vendor you choose, and prohibits me from pressuring you to choose a particular vendor.”

HF2570*/SF2553/CH283

New insurance fraud division

A new law will create an insurance fraud division in the state that will be charged with investigating and prosecuting a crime for which consumers ultimately pay.

Effective Aug. 1, 2002, the new law will authorize the transfer of a small division in the Department of Labor and Industry that currently handles workers’ compensation insurance fraud to the Department of Commerce. The new law provides the framework for a larger division that will handle all types of insurance fraud.

Under prior procedures, local law enforcement authorities handled many of these cases.

No new positions will be created, and no new money is designated for the division in the new law. However, future legislation might advocate for growth of the division.

Insurance fraud is estimated to constitute 10 percent of all claims filed in Minnesota, including auto, health, life, and disability. The average household pays \$1,000 annually due to insurance fraud, officials say.

Under the new law, the division is responsible for initiating an investigation when “there is reason to believe insurance fraud has been or is being committed,” and to report incidents of alleged insurance fraud to law enforcement authorities, such as the attorney general or county attorneys.

The new law also makes it a crime to employ or use a “runner,” “capper,” or “steerer.” The terms, recommended by Attorney General Mike Hatch, describe a person who pays people to bring others to medical clinics to commit insurance fraud related to auto insurance. These actions are currently against the

law, but this provision better equips prosecutors for charging people with crime.

The new law was sponsored by Rep. Greg Davids (R-Preston) and Sen. Linda Scheid (DFL-Brooklyn Park).

HF3497/SF3015*/CH331

Greater Minnesota health coverage

A new law will allow the state's health commissioner to create five rural health maintenance organization (HMO) projects for the purposes of expanding insurance coverage to people in Greater Minnesota.

Sponsored by Rep. Maxine Penas (R-Badger) and Sen. Dallas Sams (DFL-Staples), the new law allows the state to waive some HMO-related regulations so policyholders can create more flexible purchasing coalitions.

In drumming up support for the bill on the House floor, Penas spoke of the difficulty many rural Minnesotans face in securing health insurance.

A study by the Center for Rural Policy and Development at Minnesota State University, Mankato indicates that 33 percent of full-time workers in Greater Minnesota don't have access to employer-sponsored health insurance while 85 percent of part-time workers lack access.

The purchasing coalitions are intended to create larger pools of policyholders, which are expected to lower premiums for most customers.

Project participants will also be allowed to individualize health plans more tailored to their medical needs.

The health commissioner and purchasing coalition will be required to make annual progress reports to the Legislature. A final report detailing the following will be required five years after the project begins:

- the project's impact on the number of uninsured in the area,
- the effect on health insurance premiums for both those enrolled in the purchasing coalition and those not participating, and
- the level of participation among enrollees in designing the project.

The law is effective April 20, 2002.

HF2935/SF2909*/CH346

Refusal allowed

The Joint Underwriting Association, which provides medical malpractice insurance, now has the ability to refuse coverage to someone perceived to be too high a risk, under a new law.

The new law changes several laws governing the association, and makes minor revisions to insurance statutes.

Created in 1976, the association provides

coverage to doctors and other medical professionals who cannot obtain regular insurance for medical malpractice.

"The purpose (of the association) was to protect the public, but if someone posed a severe risk, (such as) a dangerous person or doctor ... they could continue to practice," said Kris Hasskamp, chair of the Minnesota Joint Underwriting Association and former state representative from Crosby.

The Minnesota association, which also provides liability insurance for various industries, is already allowed to refuse coverage under state law. The organization generally insures businesses that sell liquor, as well as daycare centers and assisted living communities.

While studying the statutes governing the associations after she became chair, Hasskamp found some of the provisions between the two organizations didn't match. So she contacted a lawmaker.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Linda Scheid (DFL-Brooklyn Park), the new law helps the association avoid too much risk.

It also removes a requirement for the commerce commissioner to automatically review association coverage every two years. The commissioner has the ability to decide who the association should and should not be covering.

Under the new law, the department will only be called to review when there is an issue that needs examining. The change will reduce administration costs for the association and the department.

New insurance provisions include a continuation of life insurance through a former employer. Previously, if a person left a job, they could continue receiving life insurance up to 18 months at the same price they paid while employed plus 2 percent. The new law allows the continuation past 18 months for a higher premium.

Also, credit insurance, including credit life and credit disability, can now be sold on non-first mortgage loans on the same basis as other consumer loans. The new law also changes state statutes to conform to federal laws regarding claim forms used between hospitals and clinics and insurance companies.

All changes in the new law are effective April 2, 2002.

HF3492/SF3315*/CH307

Accident victim protection

A new law will clarify that auto accident victims are entitled to receive no-fault medical benefits, effective June 30, 2002.

Previous statute did not clearly state that these victims could receive full medical

benefits for necessary care without the restrictions of managed care requirements.

The new law will prohibit health insurance companies from contracting to provide managed care services to no-fault claimants.

Victims of accidents are generally unaware they are being pushed into managed care provisions, said Rep. John Tuma (R-Northfield), the law's House sponsor. He said the legislation is supported by several medical organizations.

Sen. Dallas Sams (DFL-Staples) was the Senate sponsor.

HF1413/SF1226*/CH274

Accident liability clarification

Sometimes one word can significantly change the meaning or intent of a principle in state law.

Effective May 15, 2002, a new law literally changes one word in the state's insurance laws, specifically statute dealing with automobile liability coverage.

Rep. Greg Davids (R-Preston), who sponsored the measure in the House, said the new law resulted from a situation where a 16-year-old driver borrowed a neighbor's car with permission and was involved in an accident. The driver did not have insurance, but Davids said that usually the young driver would have been covered by her parent's liability coverage.

Prior law stated that in such an incident the insurance company would be required to pay damages arising out of the ownership, maintenance, or use of "a" motor vehicle.

Two lower district courts agreed that the insurance company was obligated to pay the damages under the previous law. But the state Supreme Court overturned the lower courts' rulings and said the statute was vague.

Davids said that in its majority opinion the court stated the Legislature could clarify its intent by using the word "any" instead of "a." "In my opinion 'a' vehicle would mean 'any' vehicle," he said.

The law changes the statute to read "any," and also further clarifies intent by adding a clause that states "including a motor vehicle permissively operated by an insured (party)."

Sen. Linda Scheid (DFL-Brooklyn Park) was the Senate sponsor.

HF2783*/SF2671/CH234

Property insurance limits

Insuring property for more than its value must now amount to the replacement cost, under a new law, effective March 27, 2002.

Previous law stated in excess of "fair value of the property."

Rep. Connie Ruth (R-Owatonna), House

sponsor of the law, said the legislation will help the Department of Commerce.

She said, as an example, an owner of a lake-property building worth \$50,000 on land worth \$150,000 has been asked by land insurers to pay for \$200,000 worth of coverage.

The new law will also prohibit lenders from requiring excessive insurance, and provides that the department may penalize violators.

HF3222/SF2953*/CH295

LAW

★ Temporary driver's licenses

Those who have lost their driver's licenses because of failure to pay child support may soon have a chance to receive a temporary license.

Effective July 1, 2002, a new law will grant a 90-day license to people more than three months behind in child support payments if the person needs a license to get to a job, go to a chemical dependency program, or attend post-secondary classes.

Homemakers who need a license to prevent disrupting their education, medical, or nutritional needs, or the needs of their family will also be eligible for a temporary license.

The new law provides \$95,000 from the trunk highway fund to the commissioner of public safety to pay for the cost of the temporary licenses.

Furthermore, the law makes some technical and clarifying changes to current law regarding payment agreements, and modifies the medical support law so it complies with federal requirements.

Driver's licenses are currently taken away from people who are more than three months behind in child support payments and have not made arrangements to pay.

The one-time license will expire after 90 days and cannot be renewed. Drivers who lose their license will still be required to pay a \$20 reinstatement fee.

Rep. Lynda Boudreau (R-Faribault) and Sen. Thomas Neuville (R-Northfield) sponsored the law.

Boudreau said the change was necessary because people who can't get to work have a hard time paying child support.

About 16,000 drivers have their licenses suspended, but about half of those would not qualify for a temporary license because they are ineligible for other reasons, she said.

HF3393/SF3114*/CH344

★ LOCAL GOVERNMENT

Funding local projects

Gov. Jesse Ventura signed a new law May 22 making a number of changes in the authority of local governments to issue bonds and incur debt.

The new law contains several regional projects, including one that would allow the Metropolitan Council to issue up to \$54 million in bonds to help purchase new buses.

House sponsor Rep. Ron Abrams (R-Minnetonka) said the council requested bonding authority of \$50 million to purchase the vehicles. He said that lawmakers who worked on the issue thought that buying new buses was a better approach than repairing older ones and buying used ones.

The new law also allows Anoka County to issue up to \$12.5 million in bonds to finance the costs of designing, constructing, and acquiring infrastructure and equipment for an 800-megahertz statewide public safety radio system.

The Region Nine Development Commission is given the authority to form a nonprofit corporation to reduce dependence on tax dollars in filling regional service gaps and funding rural programs by improving the region's access to other federal funding sources.

The commission is also authorized to levy an amount sufficient to retire the remaining debt on the Prairieland Exposition Center project in Worthington, under the new law.

Abrams said the alternative to authorizing levy authority was to allow the commission to declare bankruptcy, and that allowing a local unit of government to do that would establish a bad precedent.

An economic development authority is established in the Alexandria region, under the law. The law indicates that one authority would be more effective than multiple existing government entities.

Though there are various effective dates for the different provisions in the new law, most of it is effective May 23, 2002.

The Senate passed the new law 58-0 May 16 and the House passed it the following day by a 121-9 vote. Sen. John Hottinger (DFL-Mankato) is the Senate sponsor.

HF2836/SF2572*/CH390

Disclosing grant applications

Certain public officials would be allowed, as private citizens, to participate in state and federal grant and loan programs, under a new law.

Sponsored by Rep. Larry Howes (R-Walker) and Sen. Yvonne Prettner Solon (DFL-Duluth),

the new law will allow people who serve on local housing and redevelopment authority boards to apply for grants or loans administered by the authority. However, they must first disclose, as part of the official minutes of a meeting, that they have applied for the funds as part of a private development they are involved with.

Effective Aug. 1, 2002, the new law will also require that the individual abstain from voting on the application.

Howes said a new federal rule requires that housing and redevelopment authorities have a representative from the community and that could create an inherent conflict of interest if the resident should want to apply for a grant or loan.

A law was passed during 2001 that allows elected officials in St. Louis County cities with populations of less than 5,000 to apply for federal community development block grants or economic development administration funds after meeting similar disclosure requirements.

HF3509/SF3257*/CH356

Neighborhood organizations

Certain nonprofit neighborhood organizations are allowed greater flexibility in membership voting, under a new law effective Aug. 1, 2002.

Existing laws governing nonprofit corporations require that when a vote is to be taken on matters such as amending the corporate articles or bylaws, the board must notify the voting members of the election date up to 60 days prior to the vote. Only members notified are allowed to vote on the matter.

Sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Jane Ranum (DFL-Mpls), the new law allows neighborhood organizations that are also nonprofit corporations the option of allowing others to vote without meeting the mandatory notice requirement.

The new law allows members who are on a pre-existing membership list or who have a valid driver's license or state identification card with an address in the defined neighborhood boundaries to vote. Members will also be allowed to vote if they can show proof of ownership of a business or property within the neighborhood or have someone to vouch for their residency.

Wagenius said her own neighborhood group, which under prior law had to exclude certain residents from voting because of the nonprofit corporation notification requirements, brought the issue to her.

The new law applies to neighborhood organizations that represent a defined geographic area and have been accepted by a unit of government as the basic planning unit for the area.

It also allows neighborhood organizations that are also nonprofit corporations to use the options offered, but the provisions are not mandatory.

HF3445/SF3238*/CH340

Carlton, Pine county positions

Carlton and Pine counties will be added to the list of counties changing elected positions to appointed ones, under a new law.

The new law, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Becky Lourey (DFL-Kerrick), will allow the Carlton County board, by a resolution approved by 80 percent of its members, to change the recorder position from an elected one to an appointed one.

The law also permits Pine County to use the same process to combine the assessor and recorder positions into one and make the newly created position appointed rather than elected.

Gov. Jesse Ventura signed similar new laws for Polk and Steele counties this year.

Similar to legislation passed in previous years, each of the bills contains a reverse referendum provision that allows voters to petition to request a referendum on the issue.

Hilty said the increasingly technical duties of the positions are reflected in the number of bills that have come forward on behalf of counties.

"If there was a number of people standing in line for county recorder (positions) than we wouldn't be seeing these bills year after year," he said.

The law will take effect upon local approval.
HF2753/SF2590*/CH263

Steele County recorder

A new law will allow the Steele County recorder to become the latest county official that may be appointed rather than elected.

The law, sponsored by Rep. Connie Ruth (R-Owatonna) and Senate Minority Leader Dick Day (R-Owatonna), allows Steele County to change the position to an appointed one by a four-fifths vote of the county board. The measure requires the county to provide voters an opportunity for a reverse referendum on the issue.

The governor also signed similar new laws for Polk and Carlton counties. In 2001, the Legislature approved similar measures for Cass, Goodhue, Hubbard, and Wright counties. Several other counties have received similar authority in previous years.

State law allows all the state's counties to change the positions of auditor, treasurer, sheriff, and recorder to appointed rather than elected by a referendum.

Officials testified that the recorder position has increasingly become more technical in nature, changing the nature of recruitment for the job. The position involves decisions about office operations but has no broad county policy-making authority.

The law is effective upon local approval.
HF3074/SF2834*/CH256

Polk County positions

Candidates for the county recorder and auditor-treasurer positions in Polk County may be able to put away their election brochures, under a new law.

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Senate Majority Leader Roger Moe (DFL-Erskine), the new law will allow the county board, by an 80 percent vote, to change those two positions so that they may be appointed rather than elected.

The bill is similar to two other new laws signed by Gov. Jesse Ventura allowing Steele and Carlton counties to appoint their recorder positions pending approval by the county board, and allowing Pine County to combine its assessor and recorder positions into one and make the new position appointed.

Because the duties of the positions are becoming more technical, county officials requested the authority to appoint people to the jobs.

Like previous legislation allowing other counties to appoint certain positions, the new law contains a provision that will require the county to provide for a reverse referendum, thereby allowing voters to restore the elected nature of the position by a petition signed by at least 10 percent of registered voters of the county.

The law is effective upon local approval.
HF2652/SF2434*/CH258

Delano Public Utilities Commission

A new law will allow the Delano Public Utilities Commission to expand from three members to five. The measure takes effect upon local approval.

It was the second such law expanding local public utilities authorities of the 2002 session.

The city of Grand Rapids received the same authority from the Legislature in 1999.

Public utility commissions are responsible for the management of publicly owned water and electric utilities. The new law will maintain staggered three-year terms for the Delano commission and will prohibit more than one city council member from serving on the commission at any time.

Rep. Steve Smith (R-Mound), the House sponsor, said that since the commission was

formed in 1936, the city's population has quadrupled and the commission's budget has increased 800 percent. The current budget is around \$2.8 million, which is 50 percent higher than the city's general fund.

Sen. Gen Olson (R-Minnetrista) sponsored the law in the Senate.

HF3202*/SF2801/CH238

Shakopee Public Utilities Commission

A new law will allow the Shakopee Public Utilities Commission to increase in size.

Sponsored by Rep. Mark Buesgens (R-Jordan) and Sen. Claire Robling (R-Prior Lake), the new law will change the commission from three members to five.

Shakopee has seen tremendous growth over the past decade, as has the entire northern Scott County region. The city's population doubled during the last decade, Buesgens said, and likely will double again by 2010.

The commission is responsible for the management of publicly owned water and electric utilities in the city. Its members serve three-year staggered terms and are appointed by the city council.

The new law maintains the staggered terms. One position would expire on April 1, 2004, while the second additional position would expire on April 1, 2005.

Taking effect upon local approval, the new law will prohibit more than one city council member from serving on the commission.

HF2624*/SF2441/CH226

Water tank repair

A new law will allow municipalities greater flexibility in the way they pay for repair and maintenance of water tanks.

House sponsor, Rep. Larry Howes (R-Walker), said the measure allows municipalities, either through direct negotiation or a request-for-proposal process, to enter into multi-year professional service contracts for work on water tanks.

Howes said the law will also allow municipalities to spread payments over a period of time rather than paying the entire costs up front.

Effective May 2, 2002, the new law requires the contracts to contain a provision that a municipality is not required to make total payments in a single year that exceed the water utility charges received by the municipality that year.

Another contract provision requirement, under the new law, is that the work performed be done under the review of a professional engineer licensed by the state.

The law will also allow the city of Walker to enter into an agreement with either the Department of Human Services or the Department of Administration to allow it to take over the maintenance and operation of a water tower owned by the state and located at the Ah-Gwah-Ching nursing home facility.

Sen. Dan Stevens (R-Mora) was the Senate sponsor.

HF2995/SF3168*/CH358

METRO AFFAIRS



Livable communities program

A new law will allow cities to opt out of a Metropolitan Council program rather than having to opt in every year.

The new law, sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Ann Rest (DFL-New Hope), will allow cities to remain in the council's Livable Communities Program until they opt out.

Holberg said city councils were previously required to pass a resolution each year choosing to be a part of the program. The law reverses that process by allowing cities, once they have enrolled, to remain in the program until they vote to opt out.

The program awards grants to cities to clean up polluted land, creates affordable housing opportunities, and stimulates development that incorporates efficient use of land, a range of housing types and costs, and access to transit and open space.

The new law will also allow the grants to go to development authorities. Under previous law the grants were required to go directly to a municipality.

Development authorities include redevelopment authorities, economic development authorities, and port authorities. The law requires that a grant to a development authority must be used for a project in the participating municipality.

The new law is effective March 22, 2002.

HF2899*/SF2711/CH246

Asphalt plant partnership

A new law will allow the city of Minneapolis to partner with a private company in building an asphalt plant.

Currently there are two existing asphalt plants within two blocks of each other in a Minneapolis neighborhood.

Sponsored by Rep. Dennis Ozment (R-Rosemount) and Sen. Linda Higgins (DFL-Mpls), the new law allows the city to enter into negotiations with a company to consolidate the two operations. Ozment said

SENATE SEEKER



PHOTO BY ANDREW VON BANK

Thirteen terms in the House are enough for Rep. Wes Skoglund, whom members applaud and offer handshakes to after his May 19 retirement speech. Skoglund, who is paired with Rep. Jean Wagenius in the new House districts, will seek a Senate seat.

the public/private partnership would allow for cleaner asphalt production in the future.

Though the city has been discussing the prospect with Bituminous Roadways in Minneapolis, the law does not specify which company the city must ultimately contract with.

The new law will allow the joint venture to occur but will require the city to issue a request for proposals to allow competitive bidding for the project.

Officials representing the private company testified that the bill ensures a competitive process so that there is no advantage to any potential bidders, and it will likely save 40 percent to 50 percent in asphalt production costs.

The new law requires the joint venture to provide a lower cost and reliable supply of asphalt for a 25-year period when compared to the current city facility.

HF2796*/SF2670/CH264

Parking limitations lifted

Visitors needing to complete business at Hennepin County offices located in Minneapolis might have more parking options, under a new law.

Effective Aug. 1, 2002, the new law allows the county to acquire and improve off-street parking facilities that serve public buildings, used for county purposes and under the jurisdiction of the county board.

Originally passed in 1969, the existing law

limits the county to ownership of one off-street parking facility within the city of Minneapolis.

Rep. Ron Abrams (R-Minnetonka), the House sponsor, said the restriction on the county is the only one like it in the state. He said the law will allow the county to potentially provide more parking closer to the Hennepin County Medical Center.

The law will also remove a five-year limit currently in place for county-lease contracts of real property.

Sen. Ann H. Rest (DFL-New Hope) was the Senate sponsor.

HF2906/SF2568*/CH359

MILITARY



Benefit clarification

Minnesota's military personnel will receive the benefits of a federal act while performing state active duty, under a new law.

The law, sponsored by Rep. Greg Blaine (R-Little Falls) and Sen. Steve Murphy (DFL-Red Wing), aligns the state statute to conform to the federal Soldiers and Sailors Relief Act of 1940.

That act provides protections for military personnel including reduced interest rates on mortgage payments and credit card debt, protection from eviction, and temporary suspension of certain civil court proceedings such as bankruptcy, foreclosure, and divorce.

Under previous law, if the state's military members were called into action under Title 32 the benefits of the act did not apply. That is because that particular section designates the service as federally funded state active service.

If members are called to duty under Title 10, the federal active service provision, they did qualify for the benefits.

Military personnel that were called to beef up security at the airport following the events of Sept. 11 were called up under Title 32.

The new law is effective retroactive to Sept. 11, 2001.

HF3274*/SF3068/CH284

Called to duty

Members of the Minnesota National Guard can be called to duty by the governor for state active service or federally funded state active service. Members can also be called to action by the president for federal active service.

A new law changes state law regarding the code of military justice for guard members called to duty by the governor so that it conforms more closely to federal code.

The new law deletes obsolete statutory language and clarifies and updates language and terms.

Judge Advocate Gen. John Brossart, a lieutenant colonel in the Minnesota National Guard, testified that most of the prior law was adopted in 1963 with amendments passed in 1974 and 1986.

As an example of bringing the state code more into conformity with the federal Uniform Code of Military Justice, is a provision of the new law relating to the code's definition of "desertion" and the procedure to deal with that violation. Desertion under the previous law contained a clause that defined the act as quitting a member's unit, organization, or place of duty with intent to avoid hazardous duty or to shirk "important" service. The new law removes the word "important" from the definition.

Under the same section the law clarifies that those presumed in violation of the definitions of desertion are not merely "guilty" but rather "shall be punished as a court-martial may direct."

Effective Aug. 1, 2002, the new law is sponsored by Rep. Rob Eastlund (R-Isanti) and Sen. Leo Foley (DFL-Coon Rapids).

HF3221/SF3145*/CH308

★ RECREATION

Border changes

State park boundaries will be adjusted, under a new law effective May 16, 2002.

Sponsored by Rep. Doug Peterson (DFL-Madison) and Sen. Don Samuelson (DFL-Brainerd), the new law will allow the Department of Natural Resources to acquire permanent stream easements to improve

fishing access and wildlife habitat.

The new law also calls for multi-use, dual treadway trails on the Casey Jones Trail near Pipestone in southwestern Minnesota and Cuyuna Lakes Trail in Crow Wing and Aitkin counties in northern Minnesota.

A number of state trails and parks gain acreage under the law, including Crow Wing State Park near Brainerd, Myre-Big Island State Park near Albert Lea, and Big Bog State Recreation Area in Beltrami County in north central Minnesota.

Meanwhile, the Big Stone Lake State Park in southwestern Minnesota near the South Dakota border will lose land.

The Richard J. Dorer Memorial Hardwood State Forest in southeastern Minnesota and the Pillsbury State Forest near Brainerd will also gain land.

The Cuyuna Country State Recreation Area under development about 15 miles northeast of Brainerd will both lose and gain acreage.

A number of counties will also be permitted to sell surplus, tax-forfeited, or trust lands, under the new law.

HF3025/SF2727*/CH366

★ RETIREMENT

Pension revisions

A new law signed by Gov. Jesse Ventura May 22 will make changes to public pension laws reflecting recommendations made by the Legislative Commission on Pensions and Retirement.

Each year the commission, which consists of five members each from the House and Senate, makes recommendations to the Legislature reflecting its study and investigation of state public pension plans.

A provision of the new law updates existing laws that became obsolete when most local police and paid firefighter relief associations merged into the Public Employees Retirement Association (PERA).

Existing language in pension laws is restructured because only four local associations — the Fairmont Police, Minneapolis Fire, Minneapolis Police, and Virginia Fire — remain.

Retroactive to July 1, 2002, the new law will allow members of PERA, the Minnesota State Retirement System, or the Teachers Retirement Association to obtain service credit for strike time for up to one year. To obtain credit the employee must pay an amount equal to the employee and employer contributions plus interest.

Members of a retirement plan administered by PERA who are receiving temporary workers compensation benefits are allowed to receive service credit by making specified payments to the association under the law.

FAMILY MAN



PHOTO BY ANDREW VON BANK

Rep. James Clark gets a hug from a colleague after his May 19 retirement speech. A member since 1998, Clark is retiring to spend more time with his wife and two daughters.

The new law also requires the state to make unpaid retirement fund contributions on behalf of 15 charter schools that closed prior to April 1, 2002. The payment amount will be deducted from the total amount otherwise payable as state building lease aid to charter schools.

Legislators whose service is not covered by Social Security will be allowed to elect future and retroactive Social Security coverage for service time, under the new law. The provision requires legislators electing the option to make the employer and employee Social Security contributions.

The new law passed the House 118-9 and the Senate 61-4 on May 18. Rep. Harry Mares (R-White Bear Lake) and Sen. Dean Johnson (DFL-Willmar) were the sponsors.

There are various effective dates but most provisions are effective May 23, 2002.

HF3127*/SF2984/CH392

LTV pension concerns

A resolution, signed by Gov. Jesse Ventura, claims laid-off LTV steel mining workers were given “virtually no notice” of the termination of their pension plan and calls for action on their behalf.

The resolution states that the Minnesota Legislature urges the pension corporation to delay terminating the LTV Steel Mining Co. Pension Plan until March 2003 in order to enable the employees of LTV and the state “to study possible alternatives to a Pension Benefit Guaranty Corporation distressed termination.”

Besides the pension corporation, the president of the U.S. Senate, the speaker of the U.S. House of Representatives, and several federal administrators will receive a copy of the resolution.

The pension corporation gave plan participants 45 days notice of its intention to terminate the pension plan, based on their analysis that the plan is no longer fully funded, according to the resolution. House rules were waived to pass the resolution in a matter of days.

The LTV mining plant in Hoyt Lakes shut down in August 2000, and went bankrupt in February 2001.

In March 2002 the Pension Benefit Guarantee Corporation, the government’s pension insurance program, announced that it will guarantee basic pension benefits for participants in the three underfunded LTV plans, affecting 82,000 workers and retirees of the company.

The guarantee corporation estimated in March that the three plans were underfunded by about \$2.2 billion.

About 3,500 Minnesotans are either collecting or are eligible for a fully funded pension from the LTV plan addressed in the resolution.

Rep. Tom Bakk (DFL-Cook) sponsored the resolution in the House, and Sen. David Tomassoni (DFL-Chisholm) carried it in the Senate.

HF3411/SF3207*/R7

Retaining engineering titles

Retired engineers will be allowed to use their profession’s title under a new law effective Aug. 1, 2002.

Rep. Rich Stanek (R-Maple Grove), the House sponsor, said the issue was brought to him by a constituent but applies to people throughout the state.

To ensure public safety and to minimize confusion, due in part to deceptive advertising, current licensing laws for people who practice architecture, landscape architecture, professional engineering, professional geoscience, land surveying, and interior design prohibit the use of the titles unless the person is properly licensed and certified.

Those professions are licensed by the state Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design. The 21-member board is appointed by the governor and consists of members of the various professions.

Previous law specified that individuals who are retired from one of the professions are restricted from using the title. The new law allows retention of the title, presuming the individual held a valid license at the time of retirement.

Stanek said that his constituent, who was an engineer for more than 40 years, does a large amount of volunteer work at schools and various other functions and would like to refer to himself as a retired engineer.

The Senate sponsor was Sen. Warren Limmer (R-Maple Grove).

HF2629*/SF2913/CH239

SAFETY



Sparklers legalized

A new law will allow the sale and use of some fireworks in the state.

Under the measure, people age 18 and older will be allowed to purchase certain fireworks, including sparklers, snakes, and glow worms, smoke devices, and trick noisemakers, for use on private property in the state.

Effective April 30, 2002, the new law requires buyers to provide photo identification at the time of the purchase.

Sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. Debbie Johnson (R-Ham Lake), the new law is a result of a conference committee compromise.

The original bill dealt with extending volunteer firefighters’ benefits by prohibiting employers with at least 10 employees from taking disciplinary action against an employee who misses time while performing volunteer fire fighting duties. However, those provisions were removed in conference committee.

The House version of the bill would have permitted the sale and use of federally approved fireworks during periods around Independence Day (July 4) and New Year’s Day. The new law contains no date restrictions.

Rep. Mark Holsten (R-Stillwater), who originally offered the fireworks-related provisions as a separate bill (HF1543), said the compromise reached was to allow the sale of “novelty” items.

Fireworks legalized under the measure include wire or wood sparklers of not more than 100 grams of mixture per item, and other sparkling items that are non-explosive, non-aerial, and contain 75 grams or less of chemical mixture per tube, or a total of 200 grams or less for multiple tubes.

HF2525/SF2960*/CH350

Make way for emergency vehicles

Drivers who don’t pull over for emergency vehicles could soon face harsher penalties.

A new law will allow emergency vehicle drivers to call in the license plate numbers of drivers who get in their way.

The new law makes it a petty misdemeanor for drivers who simply refuse to yield because they don’t know the law or don’t notice the vehicle and a misdemeanor for those who intentionally impede the emergency vehicle.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul) sponsored the law.

Entenza said the law should be changed because drivers are refusing to yield to emergency vehicles more and more frequently.

The new law gives emergency vehicle drivers similar authority to call in license plates that school bus drivers have to report drivers who drive through a bus stop sign, he said.

Also included in the bill is a provision that allows law enforcement personnel to pass through red lights or stop signs while either flashing the vehicle’s lights or sounding its siren.

Prior law required emergency vehicles to do both while passing through an intersection.

Supporters said the change would allow police the ability to sneak up on criminals who may otherwise flee the scene of a crime when they hear sirens approaching.



St. Paul Fire Chief Tim Fuller testified before the House Crime Prevention Committee Feb. 12 in support of a measure that gives police greater authority to ticket people who refuse to yield to emergency vehicles. The governor signed the bill into law.

That part of the bill went into effect April 6, while other provisions will be effective Aug. 1, 2002.

HF2706*/SF3076/CH319

★ TRANSPORTATION

Running lights, weight limits

Gov. Jesse Ventura signed a law May 17 that modifies various transportation and public safety laws.

Aside from making many technical and conforming changes, the new law allows motorcycles to legally drive through red lights, creates special license plates for veterans, and changes rules regarding enforcement of commercial vehicle weight limits.

A provision heard in committee as HF3226, sponsored by Rep. Tom Workman (R-Chanhassen), will allow motorcyclists to go through red lights when their motorcycles aren't detected by the stoplight.

Veterans of any war will also be able to order special "Proud to be a Veteran," license plates for a one-time fee of \$30. Proceeds from the plates will go to the state's World War II memorial fund.

The law will also allow trucks hauling unfinished lumber to exceed the allowed weight restriction by 5 percent without penalty, instead of the current 4 percent, or 1,000 pounds. Supporters of the provision have said

lumber trucks should have more leeway because the weight of wood can change depending on the level of moisture in the wood.

Related measures will limit inspections of commercial vehicles if there is not probable cause or if the vehicle has been inspected in the past three months and will only allow law enforcement to require a truck to be weighed if no more than two other trucks are in line.

The law will also require the state Department of Transportation to study seasonal load restrictions in the northern part of the state.

It will also allow up to \$400,000 of trunk highway money to be spent on bus service during construction work on the Wakota Bridge in South St. Paul. Current law prohibits trunk highway funds from being spent on bus service.

Another provision would clear the way for online driver's license renewals by allowing the Department of Public Safety to adopt rules related to how it administers eye exams when people apply for license renewals.

An exception to a requirement that airports match any federal funds was also included. The one-time exception will allow airports to receive federal aid as part of the federal anti-terrorism package without having to kick in local funds.

The law is effective May 18, 2002.

Rep. William Kuisle (R-Rochester) and Sen. Steve Murphy (DFL-Red Wing) sponsored the law.

HF3203*/SF3233/CH371

Policy provisions signed

Several transportation policy changes to state statute are contained in a new law, effective Aug. 1, 2002.

Among the law's many provisions is an exception to the moratorium on state consultant contracts.

Rep. William Kuisle (R-Rochester), the House sponsor, said the law will allow the Minnesota Department of Transportation (MnDOT) to continue road construction projects that will be paid for by general fund dollars appropriated by the 2000 Legislature.

Also included in the new law are provisions to allow MnDOT to purchase land for future highway projects, allow advance funding for certain highway construction projects, encourage the use of agricultural-based de-icing solution for state roads, and keep the Stillwater bridge project alive.

A provision also recognizes an agreement reached between the Minnehaha Creek Watershed District and MnDOT concerning Camp Coldwater Springs near Fort Snelling. A law passed in 2001 to protect the spring halted construction at the intersection of

Highways 55 and 62. The agreement will allow construction to resume without affecting the spring's flow.

Several school bus provisions are also part of the new law. One will prohibit buses from parking near air-intake systems of schools to prevent students from breathing diesel fumes. Another will allow the state's public safety commissioner to cancel the endorsement of school bus drivers who have been convicted of a gross misdemeanor or a series of violations that show the person is a risk to public safety.

Previous law denied a school bus endorsement to those who have been convicted of a gross misdemeanor within the past five years, as well as those who have been convicted of a felony, drug and alcohol violations, or invasion of privacy.

Sen. Dean Johnson (DFL-Willmar) sponsored the law in the Senate.

HF3199/SF3298*/CH364

Disclosing vehicle information

A new law will allow limited access to motor vehicle records kept by the state.

Effective Aug. 1, 2002, the new law will allow the commissioner of public safety to give people or organizations access to motor vehicle records if the information requested is related to the operation of a motor vehicle or public safety.

It will not change the law regarding driver's license records.

Under the law, the commissioner will have the authority to deny such requests if he or she feels the party asking for the information is likely to use the data for illegal, improper, or non-investigative purposes.

Rep. Steve Smith (R-Mound), the House sponsor, said the law is a technical change that corrects what appears to be an oversight. A bill passed in 1996 changed Minnesota's law regarding driver's license records to comply with federal regulations, but excluded motor vehicle records.

Media representatives have said such information is needed to do investigative public interest reports, such as stories about chronic drunken drivers.

The federal Driver's Privacy Protection Act passed by Congress in 1994 protects the privacy of driver's license information and vehicle registration laws. That law allows states to grant 14 exceptions when information can be released.

Sen. Don Betzold (D-Fridley) was the Senate sponsor.

HF2649/SF2448*/CH368

Flashing red for funerals

A new law will allow the driver of a funeral home motorcycle or vehicle to use a flashing red light to warn drivers that a funeral procession is following.

The change is effective Aug. 1, 2002.

Rep. Jim Knoblach (R-St. Cloud), the House sponsor, said police in Greater Minnesota often do not have time to lead funeral processions, leaving funeral home employees to do so.

Since funeral home vehicles were previously not allowed to use a flashing red light, it was often dangerous for drivers when the procession passed through an intersection, he said.

In the past, drivers could recognize a funeral procession because cars in the procession would have their lights on, Knoblach said. However, many cars now drive with their lights on all the time as a safety feature, so other drivers may not realize when cars are part of a procession.

An earlier version of the law called for funeral homes to be able to control traffic lights like law enforcement and emergency vehicles, but the House removed that provision.

The Senate sponsor was Sen. Dave Kleis (R -St. Cloud).

HF3076/SF2612*/CH316

Street sweeper licensing

Motorists are used to seeing street sweepers along the side of the road, wiping away the remnants of the long winter or a community event. But they might look twice if they saw street sweepers pulled over by law enforcement for license violations.

A new law ensures that street sweepers are not subject to vehicle license requirements.

Effective Aug. 1, 2002, the new law will clarify that street sweepers are classified as special mobile equipment and are therefore exempt from licensing and taxation.

Street sweeping businesses offered testimony during the legislative session suggesting that street sweepers were pulled over and detained for license violations.

Prior state law does not specifically require street sweeping vehicles to be licensed, like it does for automobiles, trucks, and other equipment.

However, it did not specifically include street sweepers as special mobile equipment, either. Law defines special mobile equipment as "every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway."

The new law clarifies that street sweeping equipment does not require licenses for

operation, though drivers must still be licensed under state law and must also adhere to traffic laws.

Rep. Tom Workman (R-Chanhassen) and Sen. Dave Johnson (DFL-Bloomington) sponsored the law.

HF3189*/SF3135/CH250

VETERANS



Veterans home admission

A new law will change the criteria used to determine a veteran's eligibility to qualify for residence in the state's veterans homes.

Under previous requirements, state tax refunds and rebates could not be considered as means of support when a veteran was applying for admission into a home. Earnings that a resident received from participating in a work therapy program were also excluded.

The new law, sponsored by Rep. Sondra Erickson (R-Princeton) and Sen. Dan Stevens (R-Mora), includes federal tax rebates among the admission criteria that cannot be considered when determining income.

Erickson said the law will allow veterans to get into the homes more easily.

The state has five veterans homes located in Fergus Falls, Hastings, Luverne, Minneapolis, and Silver Bay.

The new law is effective for rebates issued after June 30, 2001.

HF2647/SF2569*/CH313

Minnesota State Agencies

(Area code 651)

Administration	296-6013
Agriculture	297-2200
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3644
Employee Relations	297-1184
Job Information	296-2616
Finance	296-5900
Health	215-5803
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	296-6117
Labor and Industry	296-6107
Military Affairs	282-4662
Natural Resources	296-6157
Pollution Control Agency	296-6300
Public Safety	296-6642
Driver and Vehicle Services ...	296-6911
Fire Marshal	215-0500
Alcohol and Gambling Enforcement Division	296-6979
State Patrol	297-3935
Public Service	296-5120
Revenue Taxpayer Assistance	296-3781
Toll Free	1-800-652-9094
Trade and Economic Development	297-1291
Office of Tourism	296-5029
Transportation	296-3000
Veterans Affairs	296-2562
State Information	296-6013

FINAL FAREWELL



PHOTO BY ANDREW VON BARK

Colleagues applaud Rep. Doug Peterson after his May 19 retirement speech. After six terms in the House, Peterson has accepted a position as the president of the Minnesota Farmers Union.

Editor's note: This section includes summaries of all proposals that were vetoed in full or line-item vetoed this year, with the exception of the bonding law (see p. 37) and the second budget-balancing law (see p. 38).

★ BUDGET

First round of cuts overridden

The Legislature voted to override Gov. Jesse Ventura's veto of the budget balancing bill that took care of the first \$1.95 billion of a \$2.3 billion projected deficit for the 2002-03 biennium.

The Department of Finance issued an updated budget forecast in February that increased the anticipated deficit by more than \$400 million. A subsequent budget-balancing law reduced the budget for the biennium.

Most of the law's provisions took effect March 1, 2002.

The new law will use \$1.59 billion from various state reserve accounts and one-time spending reductions and \$374 million in permanent spending cuts to reduce state budgets by the end of the 2003 fiscal year.

In his veto message, Ventura called the bill "irresponsible" because it depletes the budget reserves without providing a plan to replace them, which could have a negative effect on the state's bond rating. Ventura wrote that unless significant revenues were raised or there

were "drastic cuts to education and local government" in subsequent legislation addressing the deficit, the state would be set up for an "even more severe crisis next year."

Budget cuts in the law, sponsored by Rep. Rich Stanek (R-Maple Grove) and Sen. Doug Johnson (DFL-Tower), are taken primarily from health and human services programs — a total of \$95.9 million. Some cuts, including those to State Operated Services, were restored in the subsequent budget-balancing law.

The new law will cut \$15 million in the area of K-12 education and \$50 million for higher education. In his budget balancing proposal Ventura recommended \$100 million in cuts to K-12 education for 2002-2003 and \$70 million for higher education.

Early childhood education funding will be cut by \$4 million, under the law, some of which will be replaced by federal dollars.

In his veto message, Ventura went beyond the budget reserve concerns to criticize the law because it doesn't directly address the debt by trimming local government aids. He also suggested state employee hiring freezes and cutting professional services contracts puts an undo burden on the state, which is already bearing nearly all the costs for the deficit.

He was also critical of the language in the law that removes inflationary gauges for planning future budgets.

"Removing estimated inflation from our state forecast simply lowers our financial management standards but it doesn't mean that inflation won't happen," Ventura wrote.

"What it does mean is that those who put together the next budget will have to make budget cuts or raise taxes just to maintain current service levels."

HF351*/SF254/CH220

★ CONSUMERS

Real estate filing fees

A new law will extend the life of a real estate task force despite the veto of Gov. Jesse Ventura.

The House and Senate voted to override Ventura's veto of a bill May 16, thereby authorizing an increased fee for filing real estate documents.

Rep. Al Juhnke (DFL-Willmar), the House sponsor of the measure, said he believed that misinformation and miscommunication within the administration led to the veto.

He said the Electronic Real Estate Recording Task Force, a group operated by the Secretary of State, brought the law forward.

The group was created by the 2000 Legislature to study and make recommendations regarding the implementation of a system for electronic filing and recording of real estate documents.

In real estate title law there are two systems: abstract, in which a private third party, such as a lawyer, makes determinations regarding the chain of real estate ownership over the property's history, and Torrens law, which certifies that the parties who currently own or have mortgages or other interests in the property.

Real estate documents related to abstract property are filed with the county recorder, and Torrens documents are filed with the county registrar of titles.

Funding for the task force was originally provided in 2000 by a temporary 50-cent increase in the surcharge on filing abstract property documents. The law will impose the same surcharge on the filing of Torrens deeds, which were inadvertently omitted from the 2000 legislation.

Juhnke said the increased surcharge will result in total revenue collected from the fee of \$657,000 in 2004.

The law will also extend the life of the task force, due to sunset June 30, 2003, for another year.

Ventura wrote in his veto message that it is unnecessary to extend the surcharge paid by homebuyers and sellers for another year. He wrote that if the bill were not enacted, the task force would be required to finish its work within the original timeline and budget.



House Speaker Steve Sviggum, at microphones, is surrounded by members of the House, Senate, press, and lobbyists at a Feb. 19 news conference as he announces an agreement between the House and Senate on a bipartisan budget-balancing proposal. Gov. Jesse Ventura vetoed the bill, but the Legislature voted to override the veto.

The measure passed the House 110-11 May 8 and 55-0 in the Senate the same day. Sen. Steve Kelley (DFL-Hopkins) was the Senate sponsor.

HF2573/SF2707*/CH365

★ EDUCATION

Pledge bill vetoed

Claiming that patriotism cannot be legislated, Gov. Jesse Ventura vetoed a bill May 22 that would have required public and charter school students to recite the Pledge of Allegiance at least once a week.

"Patriotism comes from the heart. Patriotism is voluntary. It is a feeling of loyalty and allegiance that is the result of knowledge and belief. A patriot shows their patriotism through their actions, by their choice," Ventura wrote in his veto message.

"There is much more to being a patriot and a citizen than reciting the pledge or raising a flag," he wrote.

Ventura went on to say that patriots serve, vote, pay attention to the actions of government, speak out when needed, and "teach their children about our history, our precious democracy and about citizenship."

"No law will make a citizen a patriot," he said.

Both the House and Senate had overwhelming support for the bill, voting 116-11 and 46-10, respectively. The bodies met in a conference committee to work out the difference between the bills.

The Senate had language detailing what should be included in civics education, which would be taught in addition to reciting the pledge. The bill doesn't list specifics, but just says that "public and charter schools must set aside time each year for civics education that includes the history and reasons for reciting the pledge."

The committee primarily discussed a Senate provision that would have required teachers to lead a discussion about the history and reason for recitation of the pledge. It also would have added that teachers must explain to the class that students not participating in reciting the pledge may elect not to do so and may not be considered "unpatriotic."

But that language was not included in the final version of the legislation, which disappointed some members.

"There's no language that requires information to students that it is not mandatory to say the pledge and various reasons that people have to not say the pledge," Rep. Phyllis Kahn (DFL-Mpls) said on the House floor May 17.

Rep. George Cassell (R-Alexandria), the

House sponsor, responded that the bill would require school handbooks to include a statement regarding students' rights and responsibilities.

School boards would have had the ability to waive the requirement to recite the pledge and the option to form their own policy regarding the recitation.

Sen. Mady Reiter (R-Shoreview) was the Senate sponsor.

HF2598*/SF2411/CH391

Teacher insurance plan

The Legislature overrode Gov. Jesse Ventura's veto to make law a \$1.3 million allocation to create a study and plan for a statewide teacher health insurance plan.

"I do not feel that this study can be justified at a time of critical budget deficits and cuts in state government and state services," Ventura wrote in his veto message.

The money will pay for staff, actuarial consulting, and legal expenses. A 10-person labor-management group will examine several options for a statewide pooling arrangement to lower risk, especially for teachers in small districts.

The House bill originally called for \$200,000 to be used for the study's plan and design, which would have come from the tobacco endowment fund. But the House sided with the Senate for the final version, allocating \$670,000 for each of the next two biennia.

Ventura also criticized the legislation for trying to accomplish what has already been done.

"There have been several previous studies of statewide pooling concepts ... (this) will not tell us anything we don't already know," he wrote.

The new law also includes a provision allowing proceeds from the sale of raffle tickets at school events to be used by schools for transportation costs.

The House and Senate both voted to override the veto May 18, by tallies of 110-23 and 48-17, respectively. Rep. Greg Davids (R-Preston) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the law.

HF1868/SF1755*/CH378

★ ENVIRONMENT

Reporting changes

Gov. Jesse Ventura vetoed a bill that would have changed some government auditing report procedures.

Under existing law, local units of government must report all revenue collected from

waste management fees, together with interest earned on the fees and how the revenue is used, to the state auditor.

The bill stipulated that the reports would have been due annually and it would have required them to be sent to the Office of Environmental Assistance rather than the state auditor.

It would also have changed another separate filing requirement involving forfeited property in criminal proceedings. Currently, agencies provide a monthly written record of each forfeiture incident to the state auditor. Required information on the report includes the amount forfeited, the date, and a brief description of the circumstances involved.

The report also includes a list of the number of firearms forfeited, along with the make, model, and serial numbers of those firearms.

By law the auditor is required to annually make a report on the information to the Legislature.

The bill would have required that information be filed with the Office of Strategic and Long Range Planning rather than the auditor.

Finally, the bill would have repealed a requirement that local government expenditures paid for legal services to defend the entity from lawsuits and amounts paid in voluntary settlements or judgments be reported annually to the state auditor.

In his veto message, Ventura wrote that he had "serious reservations" about transferring responsibilities from one state government entity to another without providing funding and staffing changes to make sure the work can get done.

Ventura also expressed concern that with the current hiring freeze passed as part of the law providing the first phase of budget cuts, the Office of Strategic and Long Range Planning could not handle the additional work.

Rep. Dennis Ozment (R-Rosemount) and Sen. Ann H. Rest (DFL-New Hope) sponsored the bill.

HF3506/SF3084*/CH309

★ GOVERNMENT

Public TV veto

Gov. Jesse Ventura vetoed a bill that would have provided \$7.8 million to public television stations to assist them with a conversion from analog to digital signals.

However, the Legislature overrode the veto, making the measure law.

The law will also provide \$7.8 million in bonds to the Metropolitan Council for design and construction of bus garages.

A mandate from the Federal Communications



Minnesota public television stations will receive \$7.8 million to aid the conversion to a digital signal after the House and Senate overrode Gov. Jesse Ventura's veto.

Commission requires that all public television stations convert to a digital signal by May 2003.

Beginning in 2003, stations will still be able to broadcast with an analog signal provided they have a digital signal, as well. Once 85 percent of the homes in the station's market are capable of receiving a digital signal, the station will be required to stop using its analog transmissions.

The public television grant was provided in the state government finance law passed during the 2001 special session. The law required the Department of Administration and the Minnesota Public Television Association to negotiate an agreement specifying uses for digital capability to serve state and local government needs before the grants could be distributed.

That stipulation was included in part to address the governor's 1999 veto of a \$113,000 appropriation to public television stations. Ventura said that veto was based on his view that digital TV conversion should be funded by non-state sources.

In his veto message of the \$7.8 million appropriation, Ventura wrote that the bill doesn't provide an adequate level of direct benefit for the state given the investment being made. He said the bill "adds to the state's obligations at a time when we have depleted our reserves and there is still a gap between revenues and expenditures, both in the current budget and the next."

The law will fund the public television appropriation by transferring a general fund appropriation to the Met Council for the bus garages. The Department of Finance would then sell bonds and appropriate the proceeds to the council.

Rep. Dave Bishop (R-Rochester) and

Sen. Keith Langseth (DFL-Glyndon) sponsored the measure.

HF197*/SF107/CH280

★ INSURANCE

No more free steaks

A veto by Gov. Jesse Ventura of a bill changing the laws relating to auto glass insurance to more closely align them with other automotive repairs did not hold up.

The Legislature voted to override the veto, making it law, effective March 28, 2002.

Sponsored by Rep. Ken Wolf (R-Burnsville) and Sen. James Metzen (DFL-South St. Paul), the new law changes the previous standard by which insurance companies had to pay glass claims from a "competitive price" to "fair and reasonable."

Previous law required insurance companies to pay market price for glass replacement as determined by a survey of costs charged in communities around the state.

The new law prohibits glass replacement companies from offering inducements, such as a box of steaks, to consumers. Prior law restricted such incentives to items with a value of \$35 or less.

In his veto message, Ventura wrote that the bill does not support consumers and consumer choice. He said just taking into account the cost of the repair would ignore important factors such as advertising and service costs and would be detrimental to small shops.

Ventura also said no evidence exists that the bill would cause premiums to decrease.

Wolf said the state changed its laws in 1991 so that auto glass claims were treated differently from auto body claims. The law required

insurance companies to pay all "reasonable" costs, which he said led to companies being required to pay the cost of whatever was billed.

A compromise between the auto glass repair and insurance industries led to Wolf sponsoring the law that created the market survey, but he said that did not work.

According to information provided by American Family Insurance on claims filed between Jan. 1, 2001 and Oct. 31, 2001, the range of the costs was from \$334 to \$1,064. Wolf said that the national average is \$368 and in Minnesota it is \$441.

A compromise addressed concerns expressed by members about the practice of "steering" where insurance companies allegedly point consumers to preferred repair shops.

HF2570*/SF2553/CH283

BILL INTRODUCTIONS

HOUSE FILES 3735-3741

Friday, May 17

HF3735—Jacobson (R)

Taxes

Homesteads owned by persons at least age 65 valuation increase prohibited if income standard is met.

HF3736—Folliard (DFL)

Local Government & Metropolitan Affairs

Hopkins tax increment financing district extension authorized.

Saturday, May 18

HF3737—Davids (R)

Taxes

Volunteer firefighter, emergency medical technician, and first responder income tax deduction provided.

HF3738—Jennings (DFL)

Regulated Industries

Energy parks and energy infrastructure training centers established, and money appropriated.

HF3739—Olson (R)

Transportation Policy

Minnesota regulated public transit utilities act adopted.

HF3740—Evans (DFL)

Commerce, Jobs &

Economic Development Policy

Check-printing software with the ability to print with MICR-encoded ink sale prohibited.

HF3741—Seifert (R)

K-12 Education Finance

Statewide education testing results made available to school districts.

Keeping costs down

Ventura line-item vetoes dozens of projects from all over the state to keep bonding amount at 'a reasonable level'

BY THERESA STAHL

Gov. Jesse Ventura gave his pork stamp and veto pen a workout May 22 when he exercised his ability to line-item veto projects in the bonding bill.

He left in more than \$500 million in projects, vetoing just under \$400 million.

In his veto message, Ventura said he knows every request is important to its advocates and many Minnesotans.

"However ... the Legislature spent too much money on capital projects and therefore I felt compelled to bring the total cost of the bill down to a reasonable level," he wrote.

The Legislature has adjourned for the session, so there is no chance of overriding the deletions.

Rep. Phyllis Kahn (DFL-Mpls) blamed the bonding conference committee for not coming to an agreement in time for the Legislature to override a veto.

Rep. Jim Knobloch (R-St. Cloud), co-chair of the committee, defended the House conferees, saying the Senate was not willing to meet for nearly two months.

Ventura said he might not have vetoed so many projects had the Legislature balanced the operating budget for future budget cycles. The Legislature focused primarily on balancing the 2002-03 budget.

Ventura is a strong advocate of the Northstar Corridor, an 80-mile rail line from the St. Cloud area to Minneapolis. He requested \$120 million for the project in his budget recommendations, but later brought that number down to \$50 million. Funding for Northstar was critical this year; after 2002 the state is no longer eligible for a funding match of federal dollars.

He cautioned legislators that if the money was not in the bonding bill, he would strike other projects he deemed less worthy. The final bill was void of any Northstar dollars.

Ventura's warning prompted Rep. Jim Abeler (R-Anoka), during the May 18 House debate, to attempt to send the bill (HF3618) back to a conference committee so money could be included. The motion failed 84-48.

Abeler said all the people along the route of the corridor want the project.

"We are the voice of the people," he said, and their views should be represented.

"I think we're going to pay big time for being afraid of transit," said Rep. Barb Goodwin (DFL-Columbia Heights).

Other members cautioned there could be no bonding bill if it were sent back to conference committee with so little time left in the session.

"If the Abeler motion passes, the bill dies," said Rep. Greg Davids (R-Preston).

"The governor is liable to veto something no matter what we do," said Rep. Fran Bradley (R-Rochester).

Discussion followed about the fairness of the amount and locations of projects included in the bill.

Rep. Bob Ness (R-Dassel) protested that larger cities will receive the majority of the projects.

"There's really nothing for rural Minnesota," he said. "If you have a college, yes, but

the large part of the state is voided in this bonding bill."

Knobloch disagreed, noting several projects in rural parts of the state. "If you do the math, metro to rural is very close — about 50-50," he said.

Rep. Eric Lipman (R-Lake Elmo) wanted to "alert members to the numbers that aren't there. 'This bill is too big and unaffordable,'" he said.

Knobloch admitted the bill is bigger than he wanted it to be, but said some projects were necessary. He also said he had wanted to put more money into transportation.

The final House vote was 102-31. The Senate voted 51-13 shortly thereafter. The Senate sponsor is Sen. Keith Langseth (DFL-Glydon).

Here are some of the projects in the law:

- \$25.5 million for a University of Minnesota-Duluth science building,
- \$24 million for the University of Minnesota-Twin Cities' Nicholson Hall renovations,
- \$7.7 million for the University of Minnesota-Crookston's Bede Hall renovations,
- \$30 million for a Winona State University science building,
- \$19 million for a Minnesota State University, Moorhead science building,
- \$30 million for flood hazard mitigation grants,
- \$23.5 million for state park repair initiatives,
- \$20 million for the Northwest Metro Busway, and
- \$16 million for transitional veterans housing.

Projects that were line-item vetoed include:

- \$8.6 million for a University of Minnesota-Morris science building,
- \$9.2 million for Southwest State University's library remodeling,
- \$9.5 million for the Minneapolis Planetarium,
- \$5.5 million for the Trollwood Performing Arts Center in Moorhead,
- \$8.2 million for the Minnesota Zoo's Asia Trail and master plan,
- \$3 million for a national volleyball center in Rochester,
- \$4.2 million for Governor's Residence renovations,
- \$24 million for the Guthrie Theater in Minneapolis,
- \$5 million for the Children's Theatre in Minneapolis,
- \$4 million for the Roy Wilkins Auditorium in St. Paul,
- \$13 million for a statewide public safety radio system,
- \$10 million for trunk highway projects,
- \$12 million for Greater Minnesota business development grants, and
- \$8 million for Phalen Boulevard in St. Paul.



PHOTO BY ANDREW VON BANK

The House-Senate conference committee on bonding negotiates to resolve differences during a May 17 meeting.



Objections notwithstanding

House, Senate override Ventura's second veto of a budget-balancing bill this session

By DAVID MAEDA

Passing the first portion of a budget-balancing measure was much easier for legislators than the second.

But they finally got it done.

When the 2002 session convened, the state faced a projected \$1.95 billion current biennial deficit and a \$1.2 billion shortfall in 2004-05.

Within the first month lawmakers passed a law addressing the 2002-03 deficit by overriding Gov. Jesse Ventura's veto. But then the February forecast indicated an additional deficit of \$439 million this biennium and a \$1.4 billion deficit for the following two years.

After months of negotiations, the Legislature passed a deficit reduction bill (HF3270*/SFnone/CH374) May 15 and re-passed it three days later with enough votes to override another Ventura veto. The House vote was 95-38; the Senate 53-14.

In his veto message Ventura wrote, "This bill is not worthy of Minnesota's strong tradition of responsible long-term budget management. This Legislature has deferred the difficult choices. Next year the Legislature and governor will have to face these hard choices with fewer options, fewer resources, and less time."

But Rep. Kevin Goodno (R-Moorhead), the House sponsor, said the new law meets the Legislature's constitutional mandate to balance the state's books in the current biennium.

In addition, \$302 million is returned to the state's budget reserves, and some cuts that occurred in the first budget law (HF351*/SF264/CH220), particularly in the area of health and human services, are restored.

The new law eliminates the \$439 million deficit by transferring funds and using accounting shifts, such as delaying payments.

A temporary adjustment in the K-12 aid payment formula represents the largest shift. State aid to school districts was previously paid in two-year cycles, with 90 percent in the first year and the remaining 10 percent the following year. Under the new law, the percentages change to an 83 percent-17 percent formula. The shift will save \$437.5 million in fiscal year 2002.

The Department of Children, Families and Learning will be appropriated \$17.5 million to make payments to school districts to help offset difficulties that arise from the payment schedule change.

The health and human services and corrections section of the new law will save about \$37 million by delaying payments to counties for social services programs.

Many state services are spared from cuts proposed by the House, and the law does not include a Senate proposal to extend welfare benefits to a number of the families facing a five-year limit beginning July 1, 2002.

Funding is restored for the Department of Corrections and the State-Operated Services (SOS) system, a network of regional treatment centers serving the mentally ill, chemically



PHOTO BY TOM OLMSCHEID

Gov. Jesse Ventura announces that he will veto the budget-balancing bill during a May 18 news conference. Also attending the announcement are Revenue Commissioner Matt Smith, right, and Finance Commissioner Pam Wheelock. Both the House and Senate overrode the governor's veto later that evening, making the bill law.

dependent, and disabled.

A one-time "buy back" of \$8.4 million for the services and \$4.8 million for corrections to mitigate the impact of the hiring freeze included in the first budget-balancing law are part of the newest budget legislation. Each are also exempt from the statewide hiring freeze called for in the previously passed law.

The law provides \$375,000 to reopen the Governor's Residence, making it available for public use. Of that amount, \$175,000 is appropriated to the Department of Public Safety for residence security.

Non-state entities using the residence would be required to pay the state for all costs associated with use of the facility.

The new law adds \$75 million to the general fund by converting cash appropriations for various projects to bonding. The largest is a \$40 million appropriation to help pay for a new Bureau of Criminal Apprehension building.

A transfer of \$155 million from the state's cash flow account into the general fund is in the law. The account is used to meet deficiencies resulting from the uneven distribution of revenue collections and required expenditures.

To address cash flow needs, the state finance commissioner is authorized to use \$1.1 billion in tobacco endowment funds. If funds are transferred, the amount plus interest must be returned to the endowment fund when sufficient cash balances are available in the general fund.


A \$5 million cut to the Legislature's budget is part of the law's budget reduction: \$3 million to the House, and \$2 million to the Senate.

Among cuts in the first budget law that have been restored is a \$250,000 appropriation for the Perpich Center for Arts Education in Golden Valley. The public arts high school offers coursework focused on dance, literary arts, media arts, music, theater, and visual arts.

Also, a one-time \$900,000 appropriation is provided to the veteran's nursing homes board in 2003 for a deficiency in board operations. An

additional appropriation of up to \$500,000 is provided to the board to address issues concerning mold damage at the Luverne facility.

There are various effective dates for the provisions, but much of the law is effective May 19, 2002.

Sen. Doug Johnson (DFL-Tower) was the Senate sponsor. 

One last piece

Law to conform with federal tax changes rounds out second phase of budget-balancing legislation

By DAVID MAEDA

As part of the budget balancing negotiations, House and Senate conferees agreed to several tax provisions that are now law.

Gov. Jesse Ventura allowed the bill to become law without his signature saying it was "inadequate and does not responsibly contribute to the long-term budget solution."

It passed the House 129-4 May 15 and the Senate 63-0 May 16.

House sponsor Rep. Ron Abrams (R-Minnetonka) said many of the provisions make corrections to the 2001 omnibus tax law, including one that would return bakery goods made by the seller to the list of items not subject to sales tax.

As part of the state's participation in an effort known as the Streamlined Sales Tax Project in 2001, the definition of prepared food was changed in law. The project's definition for prepared food included baked goods made by the seller, which affected a number of grocery store based bakeries that made their own products.

The bill would exempt bakery items made by the seller, unless they are served with eating utensils.

The new law specifies exempt bakery items to include bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, Danish, cakes, tortes, pies, tarts, muffins, bars, cookies, and tortillas.

Also, ready-to-eat meat and seafood in an unheated state is included in the sales tax exemption clarification.

Ventura said May 18 that there are "a host of new tax breaks for local projects and businesses."

One such provision will allow cities in the St. Cloud area to impose local sales and use taxes to fund the regional airport. State law requires the Legislature to authorize imposition of local sales taxes.

Two years ago St. Cloud voters approved a sales tax to fund airport, library, and road improvements along with funding for park and trail needs.

The new law also allows the cities of Bloomington and Rochester to increase their local lodging taxes by 1 percent.

Another provision changes the income tax reciprocity arrangement between Minnesota and Wisconsin. Under current practices, people working in the other state only file returns with their home state. The states then determine the amount of tax paid by people who work in the other state. Traditionally, more Wisconsin residents work in Minnesota and thus that state makes a payment to the Department of Revenue.

The new law requires Wisconsin to pay interest if the payment is not made by July 1. The payment has generally been made at the end of the calendar year. If Wisconsin does not agree to the interest payment by Oct. 1, 2002, the law calls for the termination of the reciprocity agreement.

Minnesota will conform with some federal tax changes under the new law. One such change is the federal "Victims of Terrorism Relief Act of 2001" that waives any income tax obligations on wages earned by terrorism victims in the year of their death, or the preceding year. The law also applies to victims of last fall's anthrax attacks and victims of the 1995 Oklahoma City bombing.

It also provides estate tax rate relief and makes nontaxable the settlement and charitable funds, provided by groups like the American Red Cross, to the victim's families. Neither the federal or state benefits would apply to perpetrators of the attacks.


Ventura said one of the reasons he allowed the plan to become law without his signature was its conformity to the federal economic stimulus bill that allows individuals and businesses a temporary additional depreciation deduction.

The deductions are allowed so taxpayers may recover the cost of certain property used for business purposes. The federal change allows businesses to deduct an additional 30 percent in the first year. The provision applies from Sept. 11, 2001 until Sept. 11, 2004.

Officials from the Department of Revenue testified that if the state did not conform to the federal act, the state's tax calculations would become much more complicated. Had the state fully conformed, the estimated cost was \$103.8 million in 2002 and \$129.7 million in 2003.

The new law reflects a partial conformity with the federal act. Individuals and businesses that qualify for the bonus depreciation are allowed to subtract 80 percent of the amount that is required to be added back to taxable income in equal part in the five tax years following the add-back.

Sen. Lawrence Pogemiller (DFL-Mpls) was the Senate sponsor.

HF2498*/SFnone/CH377 

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.

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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.

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.

Around the horn

House, Senate, Ventura all grant approval for
Twins baseball stadium plan, but team support uncertain

By DAVID MAEDA

Fly balls lost in a Teflon roof might even actually be a thing of the past, under a new law passed by the House and Senate that would provide financing for a new \$330 million roof ready baseball park for the Minnesota Twins.

The bill passed the House 72-61 and the Senate 49-18, both on May 18. Gov. Jesse Ventura signed it into law May 22.

Sponsored by Rep. Harry Mares (R-White Bear Lake) and Sen. Dean Johnson (DFL-Willmar), the new law (HF2214/SF1857/CH397) requires an upfront contribution of \$120 million from the Twins and other private sources. The state would then issue revenue bonds to make a loan to a city to pay for the ballpark construction.

The new law will allow the Twins to partner with a city but prohibits a partnership with a county. Mares said county contributions were excluded because the Ventura administration wanted cities to compete on "a level playing field."

The team and host city would be required to make annual payments of \$12 million to the state to pay off the bonds, under the plan.

Subject to voter approval, the host city is authorized to impose food and alcoholic beverage taxes and a lodging tax of up to 5 percent. An admission tax of the same percentage is also authorized, but only if the commissioner of finance determines the additional funds are needed to pay off the bonds.

Mares said that the state tax contribution is limited to a sales tax exemption on the construction materials used to build the ballpark. A prop-

erty tax exemption would also be provided on the land, including a proposed parking facility.

Addressing concerns during House debate about any potential state responsibility for the costs of the stadium, Rep. Ron Abrams (R-Minnetonka) cited language in the bill clarifying legislative intent: no state dollars would be used to pay off the bonds.

"The state neither makes nor has a moral obligation to pay the bonds if the pledged revenues and other legal security for them is insufficient," Abrams said.

Much of the House debate centered on the inability of Hennepin County to assist the city of Minneapolis in its efforts to bid for the ballpark.

"The more folks we have involved in this the better the product will likely be," said Rep. Gregory Gray (DFL-Mpls).

He sponsored a bill that included \$185 million in Hennepin County-issued bonds to build a stadium in Minneapolis. That city requires a referendum for city spending above \$10 million and may need county help.

Rep. Bob Milbert (DFL-South St. Paul) noted that the bill does not shut Minneapolis out of the process. It contains a provision allowing the city to provide more than the \$10 million limit currently

in the city charter through voter approval of additional food, beverage, and lodging taxes.

The principal source of funding in the final bill is similar to the one that passed the House March 25. Interest generated from the \$120 million upfront private contribution would go towards paying off interest on the bonds.

Rep. Dan McElroy (R-Burnsville) said that in order for the financing to work, officials from



Minnesota Twins President Jerry Bell testifies May 18 before the House-Senate Stadium Conference Committee.



Minnesota Twins President Jerry Bell, center, testifies May 18 before the House-Senate Stadium Conference Committee. Also present are Rep. Dan McElroy, Rep. Harry Mares, Rep. Ron Abrams and Rep. James Metzen and Sen. Steve Kelley.

the Department of Finance said that the difference between the interest rate from the \$120 million and the interest rate of the bonds would have to be between 1.4 percent and 1.75 percent.

A number of representatives said the economics of the bill will not work.

"This is an invitation to contract. It's an invitation for (Twins' owner Carl) Pohlad being able to say 'See, nothing works,'" said Rep. Phyllis Kahn (DFL-Mpls).

Rep. Mike Osskopp (R-Lake City) agreed, saying that not only will the bill "not save the Twins, it will do the opposite." He said that the annual payment the team will have to pay would hinder its ability to pay the escalating salaries of the players and remain competitive.

The bill that originally passed the House included a provision requiring baseball owners and players to agree upon a new economic system, which includes enhanced revenue sharing, before state bonds could be issued.

Mares said the agreement reached in conference committee would require the state's executive council, which consists of the state's constitutional officers, to review the prospects for adoption of changes to major league baseball providing increased revenues for small market teams.



PHOTOS BY TOM OLMSCHIED
before the House-Senate Stadium Conference Committee. House members include, from left, Rep. Kevin Goodno, Rep. Bob Milbert. Senate members include, from right, Sen. Linda Scheid, Sen. Roy Terwilliger, Sen. Dean Johnson, Sen.

A proposed football stadium for the Minnesota Vikings and University of Minnesota Gophers is not excluded from the bill.

The bill would appropriate \$500,000 from reserves of the Metropolitan Sports Facilities Commission into a football stadium account

in the state treasury on July 1, 2002. Additionally, upon the sale of the Metrodome, the sale would be added to the account.

The university would be instructed, under the bill, to develop an agreement with the Vikings for a football stadium to be built on



Rep. Harry Mares, center, co-chair of the House-Senate Stadium Conference Committee, leans over the hearing table to talk to Sen. Dean Johnson, left, and Sen. James Metzen, right, during late-night discussions May 17.



State Finance Commissioner Pam Wheelock, right, and Assistant Commissioner Peter Sausen, center, who proposed the financing structure to build a new baseball park, listen May 17 as members of the House-Senate stadium conference committee discuss financing to accomplish the plan.

its Minneapolis campus. The agreement must be presented to the Legislature by Dec. 1, 2002. The provision states the "agreement should assume that legislation authorizing the financing and construction of the stadium will be enacted by March 1, 2003."

Approving a stadium bill adds yet another chapter to a divisive issue that has generated much public attention in recent years.

Former Gov. Arne Carlson called a special session in November 1997 after an announcement that Pohlad had reached an agreement to sell the team to a North Carolina businessman who wanted to move the team.

Calls to legislators' phone lines from constituents were so numerous that the phone system in the Capitol complex mechanically shut down.

Ultimately the House rejected a bill 84-47 that would have used revenue from personal seat licenses, rent from the team, fees from broadcasters, ticket and parking taxes, surcharges on income taxes from the players, and a stadium sales tax to pay off bonds for a \$356 million stadium.

Last fall, with the possibility of the team being contracted by Major League Baseball, the House, Senate, and governor's office each appointed six people to a stadium task force. The governor's appointees included interested Minnesota residents and state agency officials.

Ultimately the group, co-chaired by Rep. Kevin Goodno (R-Moorhead), recommended legislation providing for public financing of a baseball park for the Twins and a football stadium to be shared by the Vikings and the university.

One recommendation was to require Major League Baseball to guarantee a franchise in the Twin Cities for 30 years before the stadium could be built. That provision is in the final bill. 🐻

Preparing for the worst

House, Senate members did not get everything they wanted, but law establishes rules in fight against terrorism

By LISA HILTON

Months of debate ended in the early morning hours of May 19 when the House and Senate approved a scaled-back version of an anti-terrorism package.

The vote came after one final attempt by House and Senate conferees to reach agreement on provisions brought forward by both sides.

Signed into law May 22, the final plan, which was amended to a different bill (HF2515*/SFnone/CH401) sponsored by Rep. Kevin Goodno (R-Moorhead), was approved 106-27 by the House and 66-0 in the Senate.

Although it does not include everything the House fought for, Rep. John Tuma (R-Northfield), a House conferee, said the law provides funding for equipment and training needed to respond to a terrorist attack.

Tuma said emergency responders have told him that if something happens in Minnesota, they are going in, because that's their job. "The only question is," he said, "are we going in fully prepared and equipped?"

The law defines terrorism and sets penalties in place for those convicted, creates a 27-member homeland security advisory council, and sets penalties for trespass or damage to critical public service facilities.

Money is provided in the law for the purchase of equipment and development of staff and training facilities for emergency responders. It will also allow counties to issue bonds to pay for designing and building infrastructure for a public safety communication system.

The new law authorize a 6-cent monthly increase in the 911 service fee, with revenue going to pay off bonds issued for the infrastructure.

Senators had proposed increasing the fee by up to 25 cents to pay for the terrorism package, while House members wanted to use \$22 million of the state's tobacco settlement money to pay for portions of the bill.

The second budget-balancing law set aside \$13 million for anti-terrorism measures.

Some House members said the law should have allowed a greater increase in the 911 surcharge.

The 6-cent surcharge only maintains the current system, said Rep. Jean Wagenius (DFL-Mpls). It would only cost each Minnesotan about the cost of a small McDonald's french fry each year to have a 911 system that works, she added.

The state should do more to improve the system, Wagenius said. "We are telling people we are preparing them for terrorism," she said, but the state is only, "thinking about slight improvements in 2005."

The law attempts to make the state safer by allowing for the expansion of the state's DNA database. Anyone convicted of a felony will be required to submit a blood sample for the database, as will current prison inmates who were convicted of a felony before the law was passed.

Defining what crimes constitute terrorism is also in the law. According to the

law, a crime is committed to further terrorism if it is a violent, premeditated, felony-level crime meant to "terrorize, intimidate, or coerce a considerable number of members of the public in addition to the direct victims of the act."

The criminal act also must significantly disrupt or interfere with the operation of government, commerce, or the right of lawful assembly to be labeled as furthering terrorism.

People trespassing on critical public service facilities such as power plants or water treatment facilities could also face harsher penalties.

The changes make it a felony to damage or trespass on such facilities and allow security workers at the facilities to detain someone if there is reasonable cause to believe the person was going to do damage, or if the person refused to leave. It also requires 'No trespassing' signs to be posted on such facilities.

People who make or possess weapons of mass destruction, as well as those who threaten others with such weapons can now be imprisoned for up to 20 years or face a penalty of up to \$100,000.

The law doesn't include many provisions of the original House bill (HF2622), sponsored by Rep. Rich Stanek (R-Maple Grove).

One of the more contentious provisions would have required a color-coded driver's license for people in the country on temporary visas.

House conferees said the provision would help law enforcement personnel identify people who are in the country on an expired visa.

Senate conferees said they understood the logic of tying the driver's license to the visa, but argued that color-coded licenses would only make it easier for people to discriminate against foreigners with visas.

Public Safety Commissioner Charlie Weaver also encouraged the adoption of laws requiring non-Minnesotans applying for driver's licenses to present two forms of identification.

He said the state denied about 4,500 people licenses last year because of fraud.

Other House provisions not in the law include the following: allowing law enforcement greater access to roving wiretaps and suspect's voicemail, allowing Internet service providers to turn over consumer's stored information if it posed a threat, the creation of a biological agents registry to track where dangerous chemicals are stored, and a provision to allow public meetings to be closed when discussing public security.


Sen. Jane Ranum (DFL-Mpls) sponsored the original Senate version. 



PHOTO BY ANDREW VON BANK

Public Safety Commissioner Charlie Weaver displays color-coded licenses issued by the department. Original anti-terrorism proposals included a plan to provide a different-colored license to people in the country on temporary visas.

No regrets

After a dozen years in the House, Leppik is stepping aside, having reached her self-imposed term limit

BY THERESA STAHL

Rep. Peggy Leppik (R-Golden Valley) says she hopes she will be remembered for being a “good, effective” legislator. She will likely also be remembered for her final words on the House floor said after working through a long night to finish the session.

Leppik, with an inadvertent but endearing *faux pas*, declared her seatmate Rep. Jim Rhodes (R-St. Louis Park) “a wonderful roommate,” which was followed by laughter from the weary members, herself included.

“That is probably the most memorable thing I’ve said in 12 years,” she recalled in an interview, laughing again. “Without a doubt.”

Leppik is retiring after six terms, a decision that wasn’t affected by redistricting.

“I’ve always had it in the back of my mind that eight to 12 years is a reasonable length of time to serve,” she said, “that you should be able to make some kind of positive contribution to achieve something in that time. And I still believe that.”

“I also think that it’s very healthy to have change, both (personally) and politically — for the district.”

She said some people believe there is little hope for challenging an incumbent so they do not get involved. “But when there is no incumbent they start thinking about it in a different way.”

Before running for office, Leppik was involved in her community, participating in her kids’ schools, a planning commission, board of zoning appeals, her college alumni association, and served as president of the Minnesota Opera Association.

But it was the League of Women Voters that “really moved me down this track toward running for office,” she said.

Leppik’s predecessor was retiring, and he called to ask if she would run for office.

“I had to think about it for a while. I had never even really thought about it before.”

Now she says she wouldn’t trade it for the world. “It has introduced me to a world of new ideas, new experiences, new people,” she said.

Many of those experiences have come from serving on an array of committees, including



PHOTO BY ANDREW VON BANK

Rep. Peggy Leppik is stepping down after 12 years in the House.

health, K-12 education, environment, commerce, bonding, and higher education finance, which Leppik currently chairs.

“That’s part of what makes the job of a legislator so interesting — you learn so much about so many things that you were never involved with before and you meet absolutely wonderful people along the way.”

It is the people that Leppik will miss the most. “I’ll also miss going places and seeing things that I would otherwise never have the opportunity to see,” she said.

Some of those unique opportunities have happened just while campaigning. An idea for a bill Leppik sponsored came while door knocking.

It was “a direct result of someone in his yard saying ‘Hey, why don’t you guys change the park permit so that they follow a 12-month cycle instead of a calendar year?’” Leppik recalled. The bill passed rather quickly and ended up saving the Department of Natural

Resources some money.

“The (bills) that are extremely gratifying are the ones you start out on your own, the ones that constituents bring to you,” she said.

This year Leppik sponsored a law restricting phosphorus fertilizer. For years she was concerned about what is being put on residential lawns and how it was affecting wildlife and ecology in wetland areas.

Leppik said she’s ready to retire, but it’s hard to go knowing there’s more she could do.

“It’s leaving the people you’ve worked with that’s very hard because you work with them in a very special kind of environment — it’s a pressure cooker.”

Rhodes, her seatmate on the House floor, said he and Leppik have a lot in common and he will miss working with her.

“She is a legislator that could work with everybody on both sides of the aisle,” he said. “She has great knowledge and passion for her issues. She is someone that has a voice of moderation.”

Rep. Joe Opatz (DFL-St. Cloud) said Leppik is a strong advocate for higher education.

“She cared deeply about higher ed, particularly the U of M,” said Opatz, who serves on the higher education finance committee.

“She’s thoughtful and listened to all sides of sometimes difficult issues, and was fair in allowing members to express interests and concerns,” he said.

Leppik has no immediate plans, except for a trip this winter to New Zealand.

And though it may be hard to leave, she has no regrets.

“I would much rather leave when I’m feeling very good about what I’ve done than leave thinking that I’ve stayed too long.” 🐼

STEPPING DOWN

Rep. Peggy Leppik

Republican

District 45B — Golden Valley

Terms: 6

Career Notes: Leppik is chair of the House Higher Education Finance Committee, and served on health and human services, K-12 education finance, environment and natural resources, capital investment, and commerce, jobs, and economic development committees.

Taking a bite out of crime

Skoglund hopes to carry on his advocacy for the safety of state residents in the Senate chamber

By LISA HILTON

Keeping Minnesotans safe is how Rep. Wes Skoglund (DFL-Mpls) sums up his service as a representative of the people of south Minneapolis for the last 26 years.

Now he hopes to continue that mission as a member of the Senate.

Skoglund said his decision to leave the House and run for the Senate was in part due to the fact that the redistricting plan placed him and Rep. Jean Wagenius (DFL-Mpls) in the same district.

But it was also time for a change, he said.

"I happen to like the House. I'm very comfortable here. I know how it works, and I enjoy

mammograms, tightened the laws regarding career criminals and school attendance, and banned smoking in all state buildings.

For six years, Skoglund served as chair of the House Judiciary Finance Committee, which oversees the state's civil and criminal justice systems. Since Republicans gained control of the House in 1998, Skoglund has served as the DFL lead for the Crime Prevention Committee. He also currently serves on the House Judiciary Finance and Civil Law committees.

Over the years, he has also served on numerous committees such as ways and means, taxes, environment and natural resources, and K-12 education finance.

Rep. Dave Bishop (R-Rochester) has worked closely with Skoglund to pass several sex offender laws, including one requiring community notification when a Level 3 sex offender moves into a neighborhood.

"There were at least eight years where we acted as partners on sex offender legislation," he said. "That's an unusual situation where a chair of a committee partners with a minority member."

Skoglund was a good chairman who kept on top of the issues, Bishop said. "He was very much engaged. He did a lot of research on issues and was very much an active chairman."

Bishop said House members will remember Skoglund as a vigorous challenger of policy and procedure from the minority side. "He was often the first to challenge on points of order."

As two recent examples of his policy battles, Skoglund fought against a bill during the 2001 session that would have changed the procedure for Minnesotans trying to obtain a concealed weapon permit. This session he was also

a leading opponent of allowing the sale of fireworks in the state.

Skoglund, 56, was first elected to the House in 1974 at age 29, but his interest in politics started at a much younger age.

"I've been around public policy all my life," he said. "I remember watching United States conventions from the time I was 7 years old."

The interest in public affairs continued while he studied psychology at the University of Minnesota.

"That's one thing I enjoyed about the U," he said. "There was always some speaker somewhere talking about something somewhere on campus."

After working at Control Data for 24 years, he now works as a substitute teacher for children with special needs, including autism, in the Hennepin County area.

The school district was looking for substitutes, and especially looking for people to work with special needs youth, Skoglund said.

"In the first part of my adult life I volunteered in a program like that, so I had some experience dealing with (cognitively) impaired kids and adults," he said.

Now in his 13th non-consecutive term, Skoglund said the House has become more partisan than when he started.

"Too many of the new members have surrendered their power to the leadership of the majority party," he said. "They have denied themselves the right to be as complete and full a member as I was when I began serving in the Legislature."

When asked for his advice to new representatives, Skoglund said he would encourage them to be themselves and not turn over their votes to a party or special interest. "Remember your constituency. And your constituency is not the lobbyists who stand out in the hall."



PHOTO BY TOM OLMSCHIED

Rep. Wes Skoglund, who has served 13 non-consecutive terms in the House, will run for the Senate this fall.

the personalities," he said. "But it's time to take on a new challenge."

With more than 200 laws associated with his name, Skoglund has sponsored measures that crack down on sexual criminals, tighten gun control laws, and reorganized the juvenile justice system.

Among his accomplishments, Skoglund said he helped his district by improving the criminal justice system, putting more police on the streets and more public prosecutors and defenders in courtrooms.

Other laws Skoglund sponsored guaranteed that medical insurance providers cover

STEPPING DOWN

Rep. Wes Skoglund
DFL

District 62B — Minneapolis
Terms: 13 (non-consecutive)

Career notes: Skoglund has sponsored measures to reorganize the juvenile justice system and crack down on sexual criminals, including one requiring community notification if a level 3 sex offender moves into a neighborhood.

Growth and change

Skoe never thought his career would lead to the Legislature, and now he's seeking a Senate seat

BY THERESA STAHL

Reading his political resume, one might think Rep. Rod Skoe (DFL-Clearbrook) had always planned to run for state office.

"It really was not a long-term plan or goal I had to run for the Legislature," the second-term legislator said.

But his latest move would lend to the theory: he's running for a Senate seat.

Retirements have left open a spot in the northwest Minnesota Senate district that corresponds with his House district. Skoe said he'll miss the "free-wheeling" nature of the House — especially not having to wear a tie — but he's looking forward to working at a different level of state governance.

"I'd like to think I'd be able to make a little bigger difference," he said.

Skoe has long been making a difference through public service, something that is in his blood.

"My parents were involved in the community, so it was natural when I moved to Clearbrook to become involved in the community," he explained. Skoe moved from Kelliher, where he grew up, to Clearbrook, about 70 miles away, a few years after he finished college.

Skoe was involved in a local commodity council for nine years and served as a school board member for three. When a county commissioner position opened, he was encouraged to run and won.

Skoe's first exposure to the Capitol came as chair of the Wild Rice Commodity Council.

"I was nervous, to be honest," he said. "It's an impressive place, but the people are nice and always make you feel welcome."

Later, when Rep. Edgar Olson (DFL-Fosston) retired from the House, he encouraged Skoe to run for his seat.

"It really never crossed my mind that I would be running for representative," Skoe said. "I was happy where I was. I understood the difficulties of moving away from the farm and the family. It just hadn't occurred to me until Edgar pulled me aside one day and was explaining to me that he had to step down and



PHOTO BY TOM OLMSCHIED

After two terms, Rep. Rod Skoe will leave to run for the Senate.

I should consider giving it a shot."

Skoe said his philosophy on representing his district and creating legislation wouldn't change if he were elected to the Senate.

"In the first letter I wrote to my constituents, I said I'm trying to make sure that the things I say are accurate, and I'm trying to become well respected by members in the Legislature so that when I speak they'll listen to what I say and know that it's reasonable."

Skoe acknowledged his role as a DFL member would change from the House, where democrats are the minority, to the Senate where they hold the majority.

"I'm really a minority person (in the House) because I'm a democrat minority and I'm also rural," he said.

As a senator, he said he would probably sponsor more bills, but that was never a legislative goal.

"I didn't come down here thinking I was going to draft legislation that was going to change the world, but I did come down here

to make sure when legislation was moving that affected our area that I was a vital role in how it was drafted."

Committee hearings, where bills originate, are the part of the process Skoe said he enjoys most because of the impact it has.

Skoe serves on the House agriculture policy and finance, environment policy, and K-12 education finance committees. The committees are a good fit for his district and for his personal background, he said. Agriculture and forestry are major industries, and he himself farms wild rice and potatoes.

"He really fits the district well," said Rep. Bernie Lieder (DFL-Crookston), who is Skoe's seatmate. "He's been active in rural issues prior to coming into the Legislature."

Skoe said Lieder is the person he's worked most with at the Legislature, and the one who "really taught me that being nice goes a long ways and it's a very social process."

Lieder said Skoe is a "plain good legislator. He's exceptional and I'd hate to lose him in the House."

Rep. Bob Ness (R-Dassel) expressed the same sentiment, calling Skoe a "common sense, no nonsense" politician who's done an excellent job representing his district.

Their districts don't border, but the two have gotten to know each other through the rural issues they share — mainly agriculture and environment.

Ness, chair of the House Agriculture and Rural Development Finance Committee, said Skoe contributes a "wealth of knowledge" to the committee. He's also a good addition to the House, Ness said, someone who does his job "without the politics of the process."

Ness' words seem fitting for Skoe, who never planned on becoming a politician. But now Skoe says he's content and ready to move to a different legislative body.

"I enjoy the process," he said. "And I'm happy to be here." 🐾

STEPPING DOWN

Rep. Rod Skoe

DFL

District 2B — Clearbrook

Terms: 2

Career notes: Skoe sponsored legislation governing Minnesota Pollution Control Agency feedlot rules, and he worked for several years on a bill that became law in 2002 for Consolidated Conservation Land.

27 will not seek House re-election

A total of 27 members of the Minnesota House of Representatives have announced they will not seek re-election in November 2002. That includes 15 DFLers and 12 Republicans. Over the past few weeks, we have provided a number of Stepping Down profiles on most of the departing members.

However, due to the late date of some member announcements, we have not been able to write profiles on all of them. Below is a list of members who have announced they will not return, as of May 22, 2002, and their length of service in the House.



Rep. Henry Kalis
DFL-Wells
District 26B
Terms: 14



Rep. Tom Bakk*
DFL-Cook
District 6A
Terms: 4



Rep. Roxann Daggett
R-Frazee
District 11A
Terms: 4



Rep. Gary Kubly*
DFL-Granite Falls
District 15B
Terms: 3



Rep. David Bishop
R-Rochester
District 30B
Terms: 10



Rep. Andy Dawkins
DFL-St. Paul
District 65A
Terms: 8



Rep. Rob Leighton
DFL-Austin
District 27B
Terms: 4



Rep. George Cassell*
R-Alexandria
District 10B
Terms: 2



Rep. D. Scott Dibble*
DFL-Mpls
District 60B
Terms: 1



Rep. Peggy Leppik
R-Golden Valley
District 45B
Terms: 6



Rep. James Clark
R-New Ulm
District 23A
Terms: 3



Rep. Gregory Gray*
DFL-Mpls
District 58B
Terms: 2



Rep. Harry Mares
R-White Bear Lake
District 55A
Terms: 4



Rep. Sharon Marko*
DFL-Cottage Grove
District 57B
Terms: 4



Rep. Mike Osskopp**
R-Lake City
District 29B
Terms: 4



Rep. Dale Swapinski**
DFL-Duluth
District 7A
Terms: 2



Rep. Mary Jo McGuire**
DFL-Falcon Heights
District 54A
Terms: 7



Rep. Tom Osthoff
DFL-St. Paul
District 66A
Terms: 14



Rep. Ken Wolf***
R-Burnsville
District 41B
Terms: 5



Rep. Bob Milbert
DFL-South St. Paul
District 39B
Terms: 8



Rep. Doug Peterson***
DFL-Madison
District 13B
Terms: 6

* Representative is seeking election to the Senate or another office.
 **Redistricting paired representative with another incumbent.
 ***Representative accepted another position.



Rep. Carol Molnau*
R-Cologne
District 35A
Terms: 5



Rep. Michelle Rifenberg**
R-La Crescent
District 32B
Terms: 3



Rep. Richard Mulder
R-Ivanhoe
District 21B
Terms: 4



Rep. Rod Skoe*
DFL-Clearbrook
District 2B
Terms: 2



Rep. Bob Ness
R-Dassel
District 20A
Terms: 5



Rep. Wes Skoglund*
DFL-Mpls
District 62B
Terms: 13

Frequently called numbers

(Area code 651)

Information, House	
175 State Office Building.....	296-2146
Toll free	1-800-657-3550
TTY, House	
	296-9896
Toll free	1-800-657-3550
Chief Clerk of the House	
211 Capitol	296-2314
Index, House	
211 Capitol	296-6646
Sergeant-at-Arms, House	
45 State Office Building	296-4860
Committee Hotline, House	296-9283
Information, Senate	
231 Capitol	296-0504
Toll free	1-888-234-1112
TTY, Senate	296-0250
Toll free	1-888-234-1112
Secretary of the Senate	
231 Capitol	296-2343
Voice mail/order bills	296-2343
Index, Senate	
110 Capitol	296-5560
Sergeant-at-Arms, Senate	
Senate Chamber	296-7514/296-1119
Committee Hotline, Senate	296-8088
Legislative Reference Library	
645 State Office Building	296-3398
Governor's Office	
130 Capitol	296-3391
Attorney General's Office	
102 Capitol	296-6196
Secretary of State's Office	
180 State Office Building	296-2803
Capitol Security	
B-5 Capitol	296-6741
Emergency	296-2100

Tracking new laws, vetoes

Exactly 2,248 bills were introduced during the 2002 Legislative Session — 1,176 by the House and 1,072 by the Senate. Of those, 185 bills (and two resolutions) were passed by both bodies during the session and sent to the governor.

So what happened to the other 2,063 bills? Some were duplicates, some were folded into other bills, but most are dead, gone from the legislative process unless they are reintroduced next year. The biennium has ended, and bills do not carry over from one biennium to the next.

And what happened to the 185 bills that have been sent to the governor? Most were signed into law, and some were vetoed.

Here's a quick review of the governor's veto authority during the second year of the biennium.

Once a bill has passed both the House and the Senate in identical form, it's ready to be sent to the governor for consideration. The governor has several options when considering a bill. The governor 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 at the end of the biennium, results in a pocket veto.

The timing of these actions is as important as the actions themselves.

If a bill was passed by the Legislature and presented to the governor before the final three days of the session, the bill will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the secretary of state, but his signature is not required.

If a bill is passed during the last three days of the session, the governor has a longer time to act on it. He or she must sign and deposit it with the secretary of state within 14 days of adjournment or the bill will not become law. Inaction by the governor results in a "pocket veto," and the governor is not required to provide a reason for the veto.

Only on appropriations bills can the

governor exercise the line-item veto authority. This option allows the governor to eliminate the spending 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 either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

This year, the governor acted on all the bills before the 14-day deadline.

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 — unless it is re-introduced next year.

After each session, a comprehensive summary of all bills that were signed into law or vetoed is published. A Web-based version will be available on the House Web site at <http://www.house.mn> by August 2002.

Editor's note: The following chart includes the 185 bills (and two resolutions) that passed both the House and the Senate and have been sent on to the governor for consideration. The bills are, for the most part, sorted according to the committee of origin.

Here are definitions of some of the terms used in the chart.

Governor's options

- enactment

The date the governor signed the bill into law.

- line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

- Veto

The governor did not approve the bill.

- *An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

Effective dates

Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time. Examples:

- Aug. 1, 2002

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following its final enactment, unless the act specifies a different date.

- July 1, 2002

An appropriations act, or an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

- Day after enactment

The act becomes effective on the day after the governor signs it.

- Upon local approval

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

- Various

Different parts of the act have different effective dates.

- with exceptions (we)

Act includes other effective dates.

- with qualifications (wq)

Act adds conditions to the effective date.

- retroactive (retro.)

Act goes into effect as of a specified date in the past.

2002 MINNESOTA LEGISLATURE FINAL ACTION (as of May 22, 2002)					CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
HF—House File		we—with exceptions		liv—line item veto					
SF—Senate File		wq—with qualifications		◆—Veto overridden by Legislature					
R—Resolution		*—bill the governor signed or vetoed							
CH—Chapter		†—approved without governor's signature							
HF	Author	SF	Author	Bill Title	CH				
				Agriculture Policy					
1547	Finseth	1495*	Murphy	Omnibus agriculture policy provisions modifications.	244	3/15†			8/1/02
1524	Leppik	1555*	Higgins	Phosphorus fertilizer use regulated.	345	4/19			Various
3719	Finseth	3463*	Murphy	Pesticides application prohibition exceptions (gypsy moth bill).	369	5/10			5/11/02
3183*	Finseth	3219	Murphy	Omnibus agriculture policy bill.	373	5/17			Various
3406	Schumacher	3256*	Stevens	Farmers' market or community event prepared food sale limitations modified.	383	5/20			5/21/02
				Capital Investment					
3618*	Knoblach	none	Langseth	Omnibus bonding bill.	393	5/22	liv		Various
				Civil Law					
3062*	Smith	2839	Ranum	Hennepin and Ramsey counties juvenile court judge term limits repealed.	229	3/7			8/1/02
3190*	Stanek	3111	Ranum	Juvenile court data in statewide supervision system.	233	3/13			8/1/02
3344*	McGuire	2892	Cohen	Second Judicial District combined jurisdiction program authorized.	242	3/14			7/1/02
3584*	Holberg	3302	Knutson	Judgment calculation interest rate formulas modified.	247	3/21			8/1/02
3373	Stanek	3045*	Betzold	Fourth Judicial District domestic fatality review team pilot project extension.	266	3/25			3/26/02
3263	Holberg	3167*	Betzold	Sex offenders civil commitment determinations data access authority.	273	3/25			8/1/02
3579	Holberg	3073*	Knutson	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	282	3/26			8/1/02
2596	Holberg	2673*	Cohen	Child custody provided for by de facto custodians and third parties.	304	3/27			8/1/02
3079	Holberg	2697*	Rest	Real estate transactions disclosure requirements.	306	4/1			1/1/03
2785	Goodno	2542*	Scheid	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	311	4/1			8/1/02
3034	Holberg	2949*	Betzold	Background check public criminal history data expanded.	321	4/8			8/1/02
1517*	Wilkin	1443	Wiener	Swimming pool requirements established for family day care homes.	333	4/12			8/1/02
2735	Greiling	2457*	Berglin	Civil commitment standards modifications; mental health system report.	335	4/16			8/1/02
3455	Leighton	3380*	Knutson	Postnuptial contracts provisions modifications.	338	4/16			8/1/02
3393	Boudreau	3114*	Neuville	Child support obligors limited driver's licenses and payment agreements.	344	4/17			7/1/02 (Secs. 8-12); 8/1/02
2657	Dawkins	2540*	Betzold	Probate property succession provisions modified.	347	4/19			7/31/02 (Sec. 4); 8/1/02 (Secs. 1-3)
2473*	Kahn	2807	Ranum	Darlene Luther Anatomical Gift Act specifying intent and consent requirements.	349	4/24			4/25/02 (Sec. 2); 12/1/02 (Sec. 1)
3443	Juhnke	3200*	Johnson, Dean	Nonprofit environmental learning center insurance coverages regulated.	360	5/8			5/9/02
2649	Smith	2448*	Betzold	Motor vehicle registration records personal information disclosure.	368	5/15			8/1/02
3163*	Lipman	2792	Betzold	Revisor's bill.	379	5/21			8/1/02
3041	Marquart	3231*	Betzold	Nondesignated addresses on license applications declared private data.	389	5/21			8/1/02
3625	Pawlenty	2908*	Kelley	Internet privacy and commercial electronic mail solicitation regulation.	395	5/22			3/1/03
2780*	Lipman	2541	Neuville	Real estate land conveyance and documentation recording provisions.	403	5/22			Various
2629*	Stanek	2913	Limmer	Retired professional designation for Board of Architecture, et al. licensed retirees.	239	3/14			8/1/02
2766*	Haas	2475	Hottinger	Motor vehicle fuel franchise sale federal code compliance expiration date removed.	249	3/21			3/22/02
3058	Stang	2739*	Metzen	Cities additional liquor licenses; hotel rooms liquor cabinets hours of sale restrictions exemption.	318	4/5			4/6/02
3497	Dauids	3015*	Scheid	Commerce Department insurance fraud prevention; crime of employment of runners.	331	4/10			Various
				Commerce, Jobs & Economic Development Policy					
2642*	Gerlach	2760	Lesewski	Mine inspector annual audit requirement modified.	224	3/7			8/1/02
58*	Dehler	389	Betzold	Beer kegs identification and sales requirements.	232	3/13			8/1/02
2783*	Dauids	2671	Scheid	No-fault auto insurance residual liability coverage regulated.	234	3/14			3/15/02
3462	Mulder	3080*	Rest	Funeral trust account provisions modified.	261	3/22			1/1/03
3348	Nornes	3136*	Lesewski	Workers' compensation provisions modified.	262	3/22			Various
1413	Tuma	1226*	Sams	No-fault automobile insurance full medical expense benefits entitlement.	274	3/25			6/30/02
2570*	Wolf	2553	Metzen	Automobile insurance damaged window glass claims payment basis modified.	283		3/26◆		3/28/02
3078	Stang	2821*	Scheid	Real estate industry licensee conduct regulated.	286	3/26			8/1/02
3222	Ruth	2953*	Hottinger	Fire insurance excess coverage prohibitions.	295	3/26			3/27/02
3492	Dauids	3315*	Scheid	Insurance provisions modification.	307	4/1			4/2/02
3464	McElroy	3174*	Kelley	Money Transmitter Act small business category created.	326	4/8			4/9/02
2719*	Leppik	2827	Wiener	Uniform Athlete Agents Act providing student athlete agent registration adopted.	332	4/10			1/1/03
2763	Entenza	2592*	Oliver	Mutual insurance holding companies reorganization to stock companies.	336	4/16			Various
2751	Stang	2650*	Samuelson	Credit unions regulation provisions modifications.	339	4/16			8/1/02
3445	Wagenius	3238*	Ranum	Nonprofit neighborhood organization members directors election, voting right notice option.	340	4/16			8/1/02
3257	Dauids	2988*	Metzen	Financial institutions detached facilities, charges, and mortgage prepayment penalties regulated.	342	4/17			Various
2525	Hackbarth	2960*	Johnson, Debbie	Certain fireworks legalized; unpaid volunteer firefighting leave.	350	4/29			4/30/02
2492	Dauids	2363*	Johnson, David	Homeowners and automobile insurers credit scoring use restriction and regulation.	357	5/1			8/1/02
2573	Juhnke	2707*	Kelley	Real estate task force funding provisions modification and clarification.	365		5/15◆		Various
2710	Entenza	3246*	Cohen	Telephone solicitation calls regulation.	367	5/15			Various

2002 MINNESOTA LEGISLATURE FINAL ACTION (as of May 22, 2002)					CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
HF	Author	SF	Author	Bill Title					
HF—House File SF—Senate File R—Resolution CH—Chapter we—with exceptions wq—with qualifications *—bill the governor signed or vetoed †—approved without governor's signature liv—line item veto ◆—Veto overridden by Legislature									
1868	Davids	1755*	Stumpf	School employee health insurance plan feasibility study provided.	378		5/18 ◆		5/21/02
2989	Haas	3024*	Scheid	Department of Commerce housekeeping bill.	387	5/22			Various
2726	Stang	2422*	Fischbach	Motor vehicle dealers transfers deadline clarified.	388	5/21			8/1/02
3411	Bakk	3207*	Tomassoni	Resolution urging delayed termination of LTV pension plan.	Res.7	2/27			
				Crime Prevention					
351*	Stanek	264	Johnson, Doug	Omnibus budget balancing and appropriations bill.	220		2/25 ◆		Various
3049	Tuma	3019*	Ranum	Predatory offenders registration requirement expansion.	222	2/28			3/1/02
2662	Stanek	2611*	Ranum	Interstate compact for adult offender supervision.	268	3/25			8/1/02
1934	Stanek	1030*	Wiger	National crime prevention and privacy compact.	269	3/25			8/1/02
2842	Tuma	3244*	Schwab	Evidentiary laboratory blood sample reports electronic signatures.	301	3/27			8/1/02
2840	Clark, J.	2580*	Foley	Criminal prosecution estoppel provisions modified.	314	4/4			Various
2841	Penas	2533*	Foley	Criminal offenders county correctional services costs payment.	322	4/8			8/1/02
2687	Entenza	3075*	Cohen	Motor vehicle sales tax payment for sales in violation of dealer licensing requirements.	343	4/17			6/30/02
3048	Workman	2460*	Kleis	Criminal penalties for persons who take responsibility for criminal acts provided.	348	4/24			7/1/02 (Sec. 1); 8/1/02 (Sec. 2)
2618*	Holberg	3373	Knutson	Personnel not public data sharing authority.	352	5/1			8/1/02
3304	Tuma	2433*	Betzold	Criminal sexual conduct definition expanded relating to vulnerable adults.	381	5/21			Various
3613	Tuma	3172*	Knutson	Repeat sex offenders conditional release period extension.	385	5/21			8/1/02
				Education Policy					
2748	Westrom	2573*	Berg	Browns Valley school year start before Labor Day.	230	3/13			3/14/02
2835	Dawkins	3028*	Kelley	National and community service commission nonprofit corporation creation.	334	4/12			Various
2598*	Cassell	2411	Reiter	School Pledge of Allegiance recitation requirement.	391		5/22		
				Environment & Natural Resources Finance					
2792*	Ozment	2575	Price	Municipalities indemnified for participating in household hazardous waste programs.	265	3/22			3/23/02
2970*	Hackbarth	3010	Stumpf	Recreational motor vehicles use provisions modification.	355	5/1			Various
2973	Holsten	2738*	Price	Natural resources provisions modifications.	376	5/20			Various
				Environment & Natural Resources Policy					
3116*	Ozment	2822	Vickerman	Environment and Natural Resources Trust Fund provisions modified.	225	3/7			3/8/02
3275	Gerlach	2932*	Krentz	Citizen water quality monitoring encouraged.	253	3/22			8/1/02
3512	Cassell	3258*	Larson	Garfield state land exchange.	257	3/22			8/1/02
94	Haas	222*	Krentz	Game and fish laws gross overlimit violations penalties.	270	3/25			3/1/03
2889	Howes	2933*	Kinkel	Individual sewage treatment systems installation.	293	3/26			8/1/02
3519	Ozment	2675*	Krentz	State agencies required to use cleaner fuels.	312	4/4			8/1/02
2684	Hackbarth	2678*	Higgins	Natural Resources Department provisions modifications.	323	4/8			Various
3432	Holsten	3352*	Lessard	Dry cleaner environmental response and reimbursement.	324	4/8			4/9/02 (Sec. 1); 4/1/02 (Sec. 2)
3209	Holsten	3054*	Tomassoni	Petrofund consultant and contractor registration period modifications.	325	4/8			8/1/02
2920	Ozment	2674*	Krentz	Omnibus game, fish, and forest bill provisions modifications.	351	4/29			Various
1359	Ozment	2125*	Moe	Wildlife management areas land additions and ATV use regulations.	353	5/1			Various
3025	Peterson	2727*	Samuelson	State park and recreation area land additions and deletions.	366	5/15			5/16/02
3129	Holsten	3134*	Higgins	Individual sewage treatment classification clarified and waste tire grant and loan program abolished.	382	5/20			Various
				Family & Early Childhood Education Finance					
3196*	Mares	2966	Robertson	State procurement law ethical provisions clarified.	298	3/26			8/1/02
3240	Clark, J.	2814*	Murphy	Electronic voting authorized for cooperatives.	303	3/27			8/1/02
3221	Eastlund	3145*	Foley	Military justice code revisions.	308	4/1			8/1/02
3379	Rhodes	3384*	Hottinger	Campaign finance and public disclosure law provisions modified.	363	5/9			8/1/02
				Governmental Operations & Veterans Affairs Policy					
2695*	Mares	2531	Pogemiller	Minneapolis Firefighters Relief Association retirement provisions corrections provided.	231	3/13			Various
3296*	Thompson	3206	Marty	State employee Social Security administrative duties transfer.	243	3/14			8/1/02
2612*	Rhodes	2562	Scheid	Licensed architect, et al. requirement circumstances revised.	245	3/15			3/16/02
2742*	Seifert	2757	Betzold	State agency contested case procedures regulation provided.	251	3/21			8/1/02
3133	Lipman	2971*	Knutson	State procurement competitive bidding for building and construction contract references.	254	3/22			8/1/02
1097	Solberg	1072*	Lessard	"Grace" state photograph designation.	255	3/22			8/1/02
3238	Johnson, J.	3115*	Kelley	State energy efficiency installment purchases regulation provisions modified.	260	3/22			3/23/02
3274*	Blaine	3068	Murphy	Military active service protections.	284	3/26			Retro. to 9/11/01
3080	Stanek	3055*	Betzold	Metropolitan transit police provisions modifications.	291	3/26			3/27/02
3029	Boudreau	2680*	Limmer	Energy building code requirements changed in certain instances.	317	4/5			Various
1683	Paulsen	2150*	Stevens	Technology circuits or systems contractors and power limited technicians.	328	4/8			8/1/02
3537	Rhodes	3288*	Kelley	Firefighters interest arbitration decision provision expiration date extension under PELRA.	337	4/16			8/1/02

**2002 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 22, 2002)**

HF—House File
SF—Senate File
R—Resolution
CH—Chapter

we—with exceptions
wq—with qualifications

*—bill the governor signed or vetoed

†—approved without governor's signature

liv—line item veto

◆—Veto overridden by Legislature

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
3073*	Osskopp	2940	Vickerman	Gambling provisions modifications.	386	5/21			5/22/02 (Art. 4, Sec. 1); 8/1/02
3127*	Mares	2984	Johnson, Dean	Omnibus pension bill.	392	5/22			Various
2886*	Howes	2734	Kinkel	Leech Lake Reservation tribal band members additional election day identification procedures.	394	5/22			8/1/02
3236	Goodno	3099*	Berglin	Medical Assistance continuing care programs and MFIP hardship extensions expanded.	375	5/18			Various
				Health & Human Services Finance					
3276	Boudreau	3100*	Berglin	Medical assistance reimbursement for tribal health services.	275	3/25			8/1/02
				Health & Human Services Policy					
2698	Paulsen	2655*	Samuelson	Extending physical therapy board authority to adopt licensee ethics rules.	219	2/27			2/28/02
97	Greiling	58*	Foley	Changing terminology in statute of references to mentally ill.	221	2/27			8/1/02
3148*	Rhodes	3025	Kelley	Speech-language pathologist and audiologist registration requirements modified.	227	3/7			8/1/02
2992*	Rhodes	2865	Stevens	Occupational therapist temporary licensure terms modified.	228	3/7			8/1/02
3309*	Cassell	3082	Larson	Nursing home licensed bed lay away authorized during moratorium projects.	240	3/14			8/1/02
2813*	Molnau	2803	Robling	Child care providers required to develop policies for reporting suspected child maltreatment.	248	3/21			8/1/02
2531*	Goodno	2381	Berglin	Hospice care providers regulated, and criminal penalties imposed.	252	3/22			Various
2603	Paulsen	2627*	Kiscaden	Optometrists and physicians contact lenses prescriptions regulated.	259	3/22			8/1/02
2993	Howes	2463*	Anderson	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	272	3/25			8/1/02 (Sec. 3); 1/1/03 (Secs. 1, 2)
3291	Nornes	3124*	Foley	Nursing board care homes resident reimbursement classifications provisions modification.	276	3/25			8/1/02
3245	Boudreau	3126*	Foley	Health care and human services programs provisions technical modifications.	277	3/25			8/1/02
2600	Mulder	2419*	Lesewski	Child care programs wading pools public swimming pools regulations exemption.	279	3/25			Various
2678	Solberg	2768*	Lessard	Medical assistance demonstration project provisions modified.	281	3/26			8/1/02
2664	Bradley	2459*	Sams	Supplemental nursing services agencies registration criteria expansion.	287	3/26			Various
3091	Abeler	2764*	Marty	Mentally retarded persons incidents and emergencies reporting standards modification.	289	3/26			8/1/02
2932	Sykora	2614*	Kiscaden	Foster care placement communicable diseases disclosure requirement.	290	3/26			8/1/02
2757	Abeler	2692*	Sams	Human services licensure.	292	3/26			8/1/02
2635	Bradley	2550*	Berglin	Special education services costs reimbursement.	294	3/26			3/27/02
3223	Harder	2793*	Vickerman	Out-of-state facilities for children with severe emotional disturbance certification plan required.	300	3/27			8/1/02
1224*	Dauids	887	Lourey	Medical response unit registration provided.	310	4/1			8/1/02
2647	Erickson	2569*	Stevens	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	313	4/4			Retro. to 6/30/01
2988*	Haas	3023	Scheid	Insurance licenses, fees, and coverages regulated; health care administration simplified.	330	4/8			Various
3193	McElroy	2957*	Samuelson	Dentist practice violations reporting requirements.	341	4/17			8/1/02
2935	Penas	2909*	Sams	Health maintenance organizations rural demonstration project authorized.	346	4/19			4/20/02
3249	Hilty	2998*	Lourey	Certain alcohol and drug counselors licensing requirements waived.	354	5/1			8/1/02
3346	Mulder	3026*	Kelley	Interstate telemedicine services regulation.	361	5/8			7/1/02
3359*	Abeler	3005	Wiener	Nurses protocol modifications.	362	5/8			Various
3200*	Goodno	3155	Kiscaden	Dentist and dental hygienist guest licenses and dental assistant guest registration established.	370	5/15			5/16/02 (Sec. 1); 7/1/02 (Sec. 2)
2903	Goodno	2486*	Samuelson	Health care cost reduction and improving health care quality report required.	384	5/21			8/1/02
3092*	Abeler	3085	Hottinger	Health care provider immunity granted for specific reference check data to prospective employer.	396	5/22			7/1/02
3350*	Abeler	2811	Kiscaden	Donated dental services, volunteer health care providers programs established.	399	5/22			7/1/02
2515*	Goodno	none	none	Anti-terrorism Act of 2002 established.	401	5/22			Various
3031*	Mulder	2669	Hottinger	Minnesota Emergency Health Powers Act (bio-terrorism).	402	5/22			5/23/02
				Higher Education Finance					
2681*	Hackbarth	2469	Moe	Resolution supporting personnel responding to Sept. 11 terrorist attacks.	Res. 6	1/31			
				Jobs & Economic Development Finance					
3648	McElroy	3431*	Anderson	Omnibus jobs and economic development finance bill.	380	5/21			Various
				Local Government & Metropolitan Affairs					
1297	Dempsey	1471*	Vickerman	Municipal Board authority transferred to Office of Strategic and Long-Range Planning.	223	3/5			8/1/02
2624*	Buesgens	2441	Robling	Shakopee Public Utilities Commission increased from three to five members.	226	3/7			Upon local approval
1189*	Vandever	1376	Bachmann	Election of municipal council members provided after annexation.	235	3/14			3/15/02
1620*	Howes	2210	Tomassoni	Orderly annexation agreements strengthened.	236	3/14			3/15/02
2987*	Bakk	2873	Johnson, Doug	Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	237	3/14			3/15/02
3202*	Smith	2801	Olson	Delano Public Utilities Commission increased to five members.	238	3/14			Upon local approval
2637*	Ozment	2472	Vickerman	Temporary town officeholders authorized in event of inability or refusal to serve.	241	3/14			8/1/02
2899*	Holberg	2711	Rest	Livable community demonstration account provisions modified.	246	3/21			3/22/02
3074	Ruth	2834*	Day	Steele County recorder appointment.	256	3/22			Upon local approval
2652	Lieder	2434*	Moe	Polk County recorder and auditor-treasurer appointment.	258	3/22			Upon local approval
2753	Hilty	2590*	Lourey	Carlton County recorder appointment authorized.	263	3/22			Upon local approval
2796*	Ozment	2670	Higgins	Minneapolis asphalt plant construction authority.	264	3/22			Upon local approval

2002 MINNESOTA LEGISLATURE FINAL ACTION (as of May 22, 2002)					CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
HF—House File			we—with exceptions						
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R—Resolution			*—bill the governor signed or vetoed						
CH—Chapter			†—approved without governor's signature						
HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
2873	Wilkin	2578*	Wiener	County human services and public health clients support programs.	271	3/25			3/26/02
3061	Dibble	3117*	Metzen	Metropolitan Council interceptor facilities continued use determination.	278	3/25			12/31/02
2933	Stang	2546*	Fischbach	Rockville and Pleasant Lake consolidation plan joint development required.	296	3/26			3/27/02
3224	Abrams	3034*	Robertson	Hennepin County Medical Center cooperative purchasing authority.	302	3/27			8/1/02
3506	Ozment	3084*	Rest	State and local government units auditing and reporting requirements modifications.	309		4/1		
3169	Vandever	2881*	Cohen	Housing; municipal low-income housing authority specified.	315	4/5			8/1/02
3030	Buesgens	3322*	Orfield	Metropolitan Council existing service capacity external use provided.	320	4/8			4/9/02 (Secs.2,3);7/1/02 (Sec.1)
1763	Olson	1811*	Ourada	Public drainage systems jurisdiction transfer.	327	4/8			8/1/02
3509	Howes	3257*	Solon, Y.	Housing and redevelopment authority officers grant or loan eligibility.	356	5/1			8/1/02
2995	Howes	3168*	Stevens	Walker authorized to maintain and operate state water tower at Ah-Gwah-Ching.	358	5/1			5/2/02
2906	Abrams	2568*	Rest	Hennepin County parking facilities and real property leases provisions modification, repeal.	359	5/3			Upon local approval
2836	Abrams	2572*	Hottinger	Region Nine Development Commission nonprofit corporation establishment.	390	5/22			Various
				Regulated Industries					
3125*	Wolf	2987	Metzen	Telecommunications access for communication-impaired persons program renamed.	329	4/8			Upon local approval (Sec.5);8/1/02
2550	Osskopp	2392*	Metzen	Emergency 911 telecommunications system.	372	5/17			Various
2972*	Wolf	2740	Metzen	Energy regulation and technical corrections provided,comprehensive energy plan for public buildings.	398	5/22			Various
				Rules & Legislative Administration					
3410	Johnson, J.	2891*	Betzold	Legislative enactments technical correction provided (Revisor's bill #2).	400	5/22			Various
				State Government Finance					
197*	Bishop	107	Langseth	Noncommercial television station and metro bus garage grant provided.	280		3/27◆		4/10/02
3270*	Goodno	none	Johnson, Doug	Omnibus supplemental budget balancing bill.	374		5/18◆		Various
				Taxes					
2498*	Abrams	none	Pogemiller	Omnibus tax bill.	377	5/18†			Various
2214*	Mares	1857	Johnson, Dean	Stadium bill.	397	5/22			5/23/02
				Transportation Policy					
3189*	Workman	3135	Johnson, David	Street-sweeping vehicles defined as special mobile equipment for registration purposes.	250	3/21			8/1/02
3362	Stanek	3109*	Schwab	Municipal police departments black patrol vehicles.	267	3/25			8/1/02
2882*	Workman	3122	Chaudhary	Electric personal assistive mobility device and roadway and sidewalk regulations.	285	3/26			8/1/02
1885	Workman	2115*	Oliver	Motor vehicle dealers surety bond requirements clarification.	288	3/26			8/1/02
2884*	Osskopp	2715	Murphy	Motor vehicle excessive gross weight civil fine imposition modified.	297	3/26			3/27/02
3205	Clark, J.	2890*	Knutson	Public works contracts regulated.	299	3/27			8/1/02
3328	Molnau	3278*	Scheid	Driver's education organ and tissue donation instructions.	305	3/27			8/1/02
3076	Knoblach	2612*	Kleis	Funeral procession escort private vehicle authorized to use flashing red lights.	316	4/5			8/1/02
2706*	Entenza	3076	Cohen	Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided.	319	4/5			4/6/02 (Sec.1); 8/1/02
3199	Kuisle	3298*	Johnson, Dean	Transportation provisions modifications.	364	5/9			8/1/02
3203*	Kuisle	3233	Murphy	Omnibus public safety bill.	371	5/17			Various

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Minnesota Memorials



World War II gun

Dedicated on May 10, 1958, the World War II gun located on the south side of the Veteran's Building was involved in one of the saddest days in United States history.

When the Japanese attacked Pearl Harbor on Dec. 7, 1941, the U.S.S. Ward was returning toward the Hawaiian port after the attack had already begun.

According to Paul Mandell, a principal planner with the Capitol Area Architectural and Planning Board, crewmen aboard the naval destroyer got word of Japanese submarines in the area. "They saw the periscope from one of the submarines and actually fired on them using that gun. There were two guns on the boat and that battery was completely St. Paul people." The first firing against Japan by the United States happened at 6:45 a.m. The submarine was sunk.

After the U.S.S. Ward was retired, the gun was retrieved and returned to the Capital City.

Mandell said battery members usually have a get-together at the site on Dec. 7 each year.

The monument, which is now aimed at the Minnesota History Center, has been moved once. It used to be where the Roy Wilkens Memorial is now located along John Ireland Boulevard. That memorial was dedicated in November 1995. Planning board guidelines say that Minnesotans are supposed to be recognized along the boulevard, which is why a memorial to Charles Lindbergh is also on that part of the Capitol Complex.

(M. Cook)

Reflections



At the beginning of a legislative session, activity around the Capitol complex usually begins at a slow pace. Four or five months later, the momentum increases greatly as lawmakers meet the challenges of passing their most important bills before they adjourn.

The 2002 session did not follow suit. It began at a rapid pace, and then slowed to a crawl. But as it got closer to the mandated adjournment date, tension built to a crescendo as lawmakers got a finance bill to the governor in time to override a veto if necessary.

This was also the year for approving new legislative districts, which means that many lawmakers will have to be elected by a new group of constituents or run against a colleague.

For some it was time to step down.

In the past, most retiring members did not announce their intentions until the last day of session. However, halfway through a nearly four-month legislative stint this year, a dozen had already said they would retire.

As of May 23, four days after the House adjournment, the number of representatives that will not be back is at an unprecedented 27. The count is 13 in the Senate.

Most members are retiring just because it was time to leave public life and say goodbye to their legislative friends and colleagues. They will be missed for their distinguished public service.

So here is a tribute to an uncommon group of hard-working individuals who will not return in 2003. Their uniqueness is outstanding, and their willingness to sit

through hours of debate and stressful times should not go unnoticed.

Here's to lawmakers who always stood on principle and voted yes or no, even when they were cautioned to do otherwise.

Here's to all who gave up a personal life to live in "a bubble" and be scrutinized by the public.

Here's to members who patiently sat through conference committee negotiations in hopes of reaching some compromise on issues.

Here's to those who fought for issues close to their heart and won, and to those who put up a good fight and lost.

It is time to say goodbye to memorable moments like Rep. Dave Bishop (R-Rochester) being hugged on the House floor by Republicans and Democrats alike. It's time to say goodbye to members like Rep. Bob Ness (R-Dassel) who believes "it is time for another transition in [his] life."

And its time to say goodbye to occasions like the one observed by Kate Engstrom, a House page who noted that "at 4 a.m. on Sunday morning, the partisan members were like a body of one. In the last two hours of session, I saw Rep. Peggy Leppik (R-Golden Valley) and Rep. Phyllis Kahn (DFL-Mpls), resting on the same bench as they awaited final bills from the Senate."

It has been a distinctive journey and a memorable experience, but as tenor Andrea Bocelli and soprano Sarah Brightman sing in their duet "Con Te Partiró" — it's "Time To Say Goodbye."

—LECLAIR GRIER LAMBERT



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MINNESOTA

I N D E X

2002 Legislative Session

House files introduced during the 2002 session	1,176
In the biennium	3,741
In the 1999-2000 biennium	4,181
Senate files introduced during the 2002 session	1,072
In the biennium	3,480
In the 1999-2000 biennium	3,835
Number of bills introduced this biennium	7,221
In 1999-2000	8,016
In 1997-98	7,309
Bills sent to the governor in 2002	185
In 2001	218
In 2000	250
In 1998	157
Bills signed by the Governor	175
Number filed into law without the governor's signature	2
Bills waiting for gubernatorial action	0
Number of full gubernatorial vetoes in 2002	8
Number of additional bills with line-item vetoes in 2002	1
Total bills with line-item vetoes for the biennium, including special session	6
In the four years Ventura has been governor	54
When Arne Carlson was governor (1991-98)	179
When Rudy Perpich was governor (1983-90)	20
Gubernatorial vetoes since 1939	410
Veto overrides in 2002	6
Maximum number of legislative days that lawmakers can meet	
in regular session during the biennium	120
Number used in 2001-02	116
In 1999-2000	118
In 1997-98	109
Pages in the 2002 House Journal	3,419
Pages for the biennium	8,952
In 1999-2000	10,170
In the 2001-02 Senate Journal	7,154
Time the House adjourned <i>sine die</i> May 18*	5:45 a.m.
Number of House members that have announced they will not be back	
in 2003 (as of noon May 23)	27
As percent of House members	20.1
Number not returning which are DFL, Republican	15, 12
Number seeking a Senate seat	7
Number stepping down that are being paired through redistricting	
with someone else in his or her party	5
Days between May 19 House adjournment and Nov. 5 general election	170
Days from May 19 until the start of 2003 session on Jan. 7	233
Time lawmakers will convene on Jan. 7, 2003	12 noon

* Lawmakers actually adjourned on May 19, but it is counted as May 18 because a legislative day lasts from 7 a.m. to 7 a.m.

Sources: House Public Information Office; Legislature Web site (www.leg.state.mn.us); Governor's Log 2002; *Journal of the House*; *Journal of the Senate*.

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Story Length	_____ Too short	_____ Too long	_____ Just right
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Help is on the way

Flood relief package for 19 Minnesota counties receives unanimous support from House, Senate members

By MIKE COOK

More than three months after floodwaters ravaged parts of the state, help is on the way.

On Sept. 19, the Legislature, convened in special session, approved nearly \$32 million in relief for the 19 counties damaged by severe storms and heavy rains in June. Sixteen of those counties are in the northwest portion of the state, plus McLeod and Wright in central Minnesota and Goodhue in the southeast portion of the state.

The House passed the measure 129-0 and the Senate 63-0, where it was sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls). It awaits the signature of Gov. Jesse Ventura.

"This sends a message that the state is committed to providing assistance," said Rep. Maxine Penas (R-Badger), the House sponsor. "It gives people hope."

Penas said the aftermath of the June 9-11 storm is the most grim in Roseau where damage is so far estimated at \$100 million, with more likely this winter as home foundations begin to crack. She said 80 percent of the homes in Roseau were damaged or destroyed, along with 100 businesses, affecting 1,800 families.

The bill is similar to the legislation passed during the 1997 special session that brought aid to communities in the Red River basin.

Of the 2002 funding, \$29.4 million is in new appropriations and \$2.35 million in the reallocation of current funds. More than \$16 million of new monies are from additional bonding, and \$10.1 million will come from the cancellation of general fund money appropriated in 2000 for road construction. The remainder comes from trunk highway funds (\$2 million) and fuel contaminated property assistance (\$1 million).

The largest chunk of new funding is

Continued on next page



PHOTO BY TOM OLMSCHIED

Rep. Maxine Penas presents a flood relief package during a special session of the Legislature Sept. 19. The bill, which Penas sponsored, provides nearly \$32 million in aid to 19 counties damaged by June flooding.

Flood relief package allocations and funding source (general fund unless otherwise noted)

• State match for federal funds: \$8.3 million (bonding)	
• Property tax relief, for homeowners who lost at least 50 percent of home value	\$1 million
• Agriculture aid, for farmers with crop yield or quality loss	\$3 million
• Business assistance	\$3 million
• Housing assistance, including repair, new construction, or refinancing	\$3 million
• Publicly owned rental housing	\$1 million (bonding)
• Public infrastructure assistance, such as storm sewers, water, and wastewater systems	\$2 million (bonding)
• Fuel contamination assistance	\$1 million (petroleum fund)
• Local road and bridge assistance	\$5 million (bonding)
• Roseau schools flood declining enrollment aid for 2003	\$40,000
• Roseau schools flood declining enrollment aid in future years	\$60,000
• Bond sale expenses	\$30,000 (bonding)
• State roads and bridges	\$2 million (trunk highway fund)
• Conversion of transportation funding to bonding	\$10.1 million
Total new appropriations	\$29.4 million

• Re-allocation of flood replacement aid	\$350,000
• Re-allocation of flood prevention/control bonds	\$2 million
Total funding in flood relief package	\$31.8 million

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\$8.3 million to match the federal emergency funds. "This includes all of the state and local share," Penas said. Under the program the federal government provides 75 percent aid, and state and local governments provide 25 percent. Usually such aid requires a 10 percent local contribution.

For businesses, \$6 million of relief is on the way, half of which comes from the state's general fund for grants or loans to businesses adversely affected by the flood. If a business is in a tax increment financing (TIF) district, it may request to have its net tax capacity adjusted for the first taxes payable year, and \$1 million is directed for cleanup of buildings where the damage can be related to petroleum contamination.

Of the reallocations, \$350,000 is designated for flood replacement aid and \$2 million in bonding for flood mitigation. The latter raised some eyebrows at a House Ways and Means Committee hearing early Sept. 19 since that money was previously allocated in the bonding law approved during the 2002 regular session.

Ventura decided, upon signing the law in May, to withhold authorization to sell bonds for half of the \$30 million of flood mitigation grants approved by the Legislature. Once those funds are released, the bill would allow flood mitigation efforts associated with this bill to be considered along with previously approved projects.

While understanding the needs of flooded areas, Rep. Margaret Anderson Kelliher (DFL-Mpls) noted that the northwestern Minnesota projects included in the flood relief bill did not go through the proper channels required for the other projects during the 2002 regular session.

"The problem in northwest Minnesota is of an extreme nature," said Louis Jambois, a senior executive officer with the Department of Trade and Economic Development. He also noted that the projects would likely rank higher than those previously scheduled to receive funding.

Rep. Ted Winter (DFL-Fulda) proposed an amendment to the bill that would have provided assistance for Jackson, Nobles, and Rock counties in southwest Minnesota where farmers anticipate losing millions of dollars as a result of drought conditions. No federal disaster declaration has been issued for the area, but Winter said he expects the federal government will ultimately declare a disaster for the area, since the counties meet the 30 percent loss threshold.

"A lot of people are trying to figure out how to make it in farming," Winter said. "We also need to give them some hope."

Rep. Tim Finseth (R-Angus) said it is not legislative practice to do assistance packages until a disaster area is declared, and Rep. Elaine Harder (R-Jackson) said the special session was called only to deal with flood relief. The issue was ultimately ruled not germane to the flood bill by the full House.

Disaster declared

Waves of rain caused record-high flooding, damage in Roseau and northwestern Minnesota

The rain began falling in the early morning hours June 9 and didn't stop for two days. A virtually stationary storm dumped as much as 14 inches of rain in the northwestern Minnesota region, where the smaller streams and rivers feed the Red River of the North.

A little rain may have seemed like a blessing to the region, which indexes showed was experiencing moderate drought. But heavy downpours prompted smaller streams to spill their banks, and the parched soil could not absorb the volume of water created by the rains.

Roseau suffered the worst of the damage, according to a report from the U.S. Geological Survey. About 95 percent of the town was inundated by water as a result of the storm.

About 7,500 people live in and near the city.

The Roseau River rose to a level more than three feet higher than the previous peak stage. Peak water discharge from the river was 120 percent greater than the previous high, set in 1996. According to the U.S. Geological Survey, the levels along the river during the June 9-11 storm are the kind that only occur every 200 to 500 years.

Ada, just downstream from Twin Valley on the Wild Rice River, also suffered extensive damage.

Climatologists describe the event as "extraordinarily rare" in its intensity. Gov. Jesse Ventura declared a state of emergency on June 11 and called the National Guard to active duty to provide aid to 10 counties in the region.

President George W. Bush designated Roseau County as a major disaster area on June 14, making the area eligible for federal emergency aid. Another 12 counties were added later.

And it was only the first significant wave of rains to trouble the region. On June 22, the rain returned, and it kept coming until the morning of June 24.

While the first June storm affected the northern two-thirds of the Red River Valley in northern Minnesota, the second wave struck areas to the south, which drain north, further exacerbating the initial flooding.

The U.S. Geological Survey report summarizing the flooding noted the unusual nature of the incident, because it wasn't connected either to heavy snowpack, a late spring blizzard or thaw, or the remains of high precipitation from the previous fall. Those characteristics are typically the cause of flooding in the region, as the tributaries in the Red River basin fill with snowmelt and feed the main channel of the river. Such was the case with record flooding in the valley during the past decade.

In fact, figures show that the rivers in the area have only ever reached their highest levels during the stretch from March to May. The levels experienced in June on the Marsh, Wild Rice, Thief, Clearwater, and Roseau rivers surpassed those of prior spring flooding incidents.

The Red River itself did not reach peak stage during the June flooding, nor was it near peak stage during the event at many measuring stations.

Additional flash flooding in Wright and McLeod counties, just west of the Twin Cities metropolitan area, washed out roads and bridges and caused damage to communities.

A total of 19 counties were eligible for some form of federal aid as a result of the rains. The Federal Emergency Management Agency and Small Business Administration helped disburse a number of different types of aid, including temporary rental assistance, public assistance (for public facilities), and low-interest disaster loans. Farmers were also eligible for state loan and advocate programs.

About \$5 million in federal housing grants, and another \$19 million in low-interest disaster loans have thus far been disbursed to the northern Minnesota counties.

The federal public assistance programs are specifically intended to help communities rebuild public infrastructure, such as sewer systems and other public functions. The program provides 75 percent aid, and it requires that state and local governments provide the additional 25 percent.

In addition, the state has coordinated disaster

unemployment aid and other grants and aid programs for business and individuals affected by the flooding.

As of Sept. 15, nearly \$1 million in disaster unemployment benefits have been paid to Minnesotans, according to the state Department of Economic Security.

The U.S. Department of Labor awarded a \$2.5 million grant to the state to fund temporary jobs in the region to clean up flood debris and assist with flood prevention efforts and repair work.

State emergency management reports estimate damage to public facilities in the floods at at least \$11.5 million and crop/livestock and farm structure loss at about \$103 million. Of the housing and family grants disbursed to 14 of the counties affected, nearly 80 percent went to the residents of Roseau County.

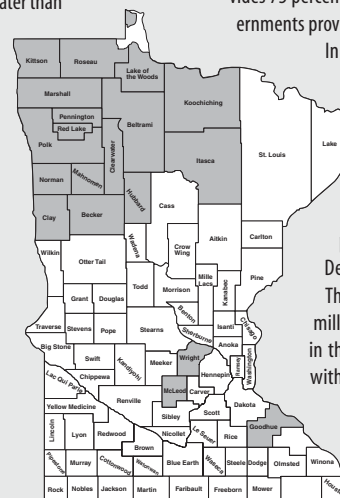
Farmers were already dealing with moderate drought conditions in northwestern Minnesota and several thousand acres were not planted at all during 2002 due to the combination of the drought and the floods. According to the Minnesota Farm Service Agency, a division of the U.S. Department of Agriculture, the floods resulted in a \$137 million loss to the agriculture economy.

On Sept. 6, Ventura provided a \$500,000 grant for the city of Roseau to install a backflow system in its storm and sanitary sewer systems and pumping stations. Sewer systems in the city were severely damaged during the floods. Other communities throughout the affected region experienced similar sewer overload and backup problems, according to the state's Division of Emergency Management.

City buildings in Roseau sustained \$1.3 million in damage from the floods, including significant damage to Memorial Arena, the city's library/museum, the police and fire departments, and the city offices and auditorium.

The Minnesota Recovers Task Force, assembled June 20, involves 23 state and federal agencies that are providing various services to the flood-afflicted areas. The group continues to meet on a weekly basis regarding the ongoing efforts.

(M. KIBIGER)



The 19 shaded counties were declared federal disaster areas after flooding in June.

Charitable deductions

Legislature votes to allow taxpayers the option of deducting some charitable contributions

By DAVID MAEDA

The alternative minimum tax was originally created to address concerns that some of the nation's wealthiest individuals, using legal deductions and other income exclusions, were paying little or no income tax.

What it ensures is that individuals who capitalize on certain available tax deductions, which theoretically may erase all income tax burden, still pay some tax. That alternative minimum tax is then calculated using a structure with a broader tax base and lower rates.

Charitable contributions qualify as one type of deduction taxpayers may make from their income tax obligations. And a recent Minnesota Supreme Court ruling, which removed the tax deductibility of charitable contributions made by Minnesotans who are required to pay the state's alternative minimum tax, raised concerns that contributions made to nonprofit organizations could be significantly reduced if taxpayers are no longer allowed to deduct them.

Legislators passed a bill Sept. 19 redefining the threshold of deduction for charitable contributions on taxes paid after Dec. 31, 2001. The bill would allow affected taxpayers to deduct contributions of more than 1.3 percent of their federal adjusted gross income.

Rep. Ron Abrams (R-Minnetonka), sponsor of SSHF2, said the bill is a temporary solution that addresses concerns raised by the court decision, adding that the issue would likely be addressed further next session.

"This is a one-year solution to a very bad problem," he said.

A federal minimum tax was established in 1969 and the state adopted a similar tax in 1977. In Minnesota, taxpayers first calculate their regular tax liability and then determine whether they owe the alternative minimum

tax. If the alternative minimum tax is higher than the regular tax, the taxpayer pays the difference between the two amounts.

Previously the state's alternative minimum taxpayers were allowed to deduct charitable contributions made only to Minnesota-based charities. But a case brought before the state tax court ultimately led to the Supreme Court ruling that no charitable donations, regardless of where the charity is located, could be deducted in calculating the state alternative minimum tax.

Insurance executive R. Austin Chapman and his wife, Nadine, unsuccessfully brought a case before the state's tax court in October 2001 after the Department of Revenue ruled the Chapmans owed more than \$145,000 on \$1.6 million in contributions made between 1994 and 1996 to a Massachusetts charitable trust company.

The Chapmans argued that their contribution to the Fidelity Charitable Gift Fund should be deductible because the fund ultimately distributed their contributions to various Minnesota charities.

But the department ruled that the conduit charity did not meet the law's definition of being "located in Minnesota or carrying on substantially all of its activity in Minnesota."

The tax court agreed, citing in part that no specific instructions were given to Fidelity requiring the money be given to a Minnesota charity and that an audit of where the money ultimately ended up would be difficult and costly.

However, the Supreme Court ruled the current law was unconstitutional under federal commerce laws because it discriminated between charities. The court returned the issue to the tax court to determine whether the Chapmans should be required to pay back taxes and whether any of the state's 24,000 alternative minimum taxpayers who deducted

Gravel tax adjusted

The House also passed a bill 126-0 that clarifies a sales tax exemption on the delivery of aggregate materials and concrete block.

Rep. Ron Abrams (R-Minnetonka), the House sponsor, said the bill (SSHF3) clarifies the legislative intent of a provision in the 2002 omnibus tax law. The bill specifies that the delivery of aggregate materials and concrete block by a third party would be subject to the sales tax if it would be subject to the tax were delivery provided by the seller.

Abrams said the original provision had little to no cost associated with it, but since adjournment of the regular session, the department has interpreted the definition more broadly than intended.

The bill is effective retroactive to June 30, 2002.

Sen. Ann Rest (DFL-New Hope), the Senate sponsor, said the Revenue Department had indicated to her that there have been no collections related to the provision since June and therefore no refunds would be owed. The measure passed 63-0 in that body and awaits the governor's approval.

charitable contributions also owe back taxes.

According to nonpartisan House Research staff, if no changes are made to the law, the state would stand to collect an estimated \$20 million more in revenue next year.

Abrams said that those paying alternative minimum taxes in the state contribute more than \$350 million in charitable contributions.

The Revenue Department estimates that of the state's 24,000 alternative minimum taxpayers around 10,000 have a federal adjusted gross income of less than \$100,000 annually. Nearly 800 make more than \$500,000.

Officials representing some of Minnesota nonprofit organizations, including the Minnesota Private College Council and Minnesota Council on Nonprofits, supported the bill at a Sept. 19 House Taxes Committee hearing. They emphasized the importance of charitable contributions.

Others expressed concern that the state not conduct audits of those who claimed charitable deductions in the past. John Haugen, a Revenue Department attorney, said the department intends to wait for the state tax court to give further direction on the matter.


The Senate passed the measure, sponsored by Sen. Don Betzold (DFL-Fridley), 63-0. It awaits the governor's signature. 



PHOTO BY ANDREW VON BANK

Members of the House Taxes Committee debate a bill that allows certain charitable contributions to be deducted from personal income tax. The bill specifically redefines the threshold for deduction for charitable contributions made as it relates to payment of the alternative minimum tax.

Session Weekly

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Bill Introductions

Thursday, September 19

SSHF1—Penas (R)

Ways & Means

Flood relief provided in designated counties and to independent school district No. 682, Roseau; property tax abatement and agricultural disaster assistance provided; bonds issued; and money appropriated.

SSHF2—Abrams (R)

Taxes

Charitable contributions deductions under the alternative minimum tax clarified.

SSHF3—Abrams (R)

Taxes

Aggregate materials sales tax technical corrections provided.

SSHF4—Clark, K. (DFL)

Crime Prevention

Assault on a member of a community crime prevention group provided gross misdemeanor penalty.

HF5—Anderson, I. (DFL)

Taxes

Charitable contribution deductions under the alternative minimum tax clarified.

SSHF6—Clark, K. (DFL)

Crime Prevention

Community policing pilot project established, competitive law enforcement grants provided, and money appropriated.

SSHF7—Erhardt (R)

Taxes

Charitable contributions deduction under the alternative minimum tax clarified.

SSHF8—Clark, K. (DFL)

Crime Prevention

Law enforcement agencies required to notify community crime prevention groups of the outcome of criminal proceedings in cities of the first class.

SSHF9—Koskinen (DFL)

Health & Human Services Policy

Health plan premium increases restricted and report required.

SSHF10—Tingelstad (R)

Transportation Policy

Northstar commuter rail project funding provided, bonds issued, and money appropriated.

SSHF11—Anderson, I. (DFL)

Taxes

Charitable contribution deductions under the alternative minimum tax clarified.

SSHF12—Clark, K. (DFL)

Commerce, Jobs & Economic Development

National affordable housing trust fund creation urged by resolution to Congress.

SSHF13—Folliard (DFL)

Commerce, Jobs & Economic Development Policy

Home loan protection act adopted regulating home loans.

SSHF14—Peterson (DFL)

Agriculture Policy

Agriculture; United States House of Representatives urged by resolution to pass legislation for federal disaster assistance to agriculture.

MINNESOTA INDEX

State and federal flooding aid, 1997 to 2002

Flood relief in 2002 special session law for northwestern Minnesota, in millions	\$31.8
Preliminary damage estimates from 2002 flooding, including agricultural impacts, in millions (damages are still being processed from the June event)	\$150
Counties affected by June 2002 flooding	19
Percentage of homes flooded in Roseau in June 2002	80
Funds in 2001 bonding law for flood damage in the city of Eagan, in millions	\$5
The city of Austin, in millions	\$2
Funds in 2001 bonding law for flood hazard mitigation grants, in millions	\$2
Funds specific to the Red River basin	\$234,000
Flood relief in 1997 special session law for the Red River basin, in millions	\$125
State and local matching funds for in the law, in millions	\$30
Flood mitigation and protection projects, in millions	\$13.9
Total aid for Red River basin communities affected by 1997 floods, in millions	\$831
Federal funds, in millions	\$574
Private funds, in millions	\$132
Estimated economic impacts of 1997 flooding, in billions	\$1.5
Counties affected by Spring 1997 flooding	58
Percentage of homes flooded in East Grand Forks in the spring of 1997	99
Percentage of homes flooded in Breckenridge	90

Sources: Federal Emergency Management Agency; Minnesota Department of Public Safety Division of Emergency Management; State Climatology Office; *June 2002 Floods in the Red River of the North Basin in Northeastern North Dakota and Northwestern Minnesota*, U.S. Geological Survey; *Flood Damage Reductions: What Minnesota has done and still needs to do*, Minnesota Department of Natural Resources, December 2001; *Minnesota Session Laws 1997*; *Minnesota Session Laws 1998*; *Minnesota Session Laws 2001*; House Public Information Office; Minnesota Recovers Disaster Task Force; and Minnesota Department of Trade and Economic Development.