

A NONPARTISAN PUBLICATION    ★ ★ ★

# 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.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Office  
175 State Office Building  
St. Paul, MN 55155-1298  
(651) 296-2146 or  
1-800-657-3550  
TTY (651) 296-9896

**Director**  
LeClair G. Lambert

**Editor/Assistant Director**  
Michelle Kibiger

**Assistant Editor**  
Mike Cook

**Art & Production Coordinator**  
Paul Battaglia

**Writers**  
David Maeda, Lisa Hilton,  
Sarah McKenzie, Theresa Stahl

**Chief Photographer**  
Tom Olmscheid

**Photographers**  
Andrew Von Bank, Becky Ekstam

**Office Manager**  
Nicole Wood

**Staff Assistants**  
Christy Novak, Kelli Lin Foster

*Session Weekly* (ISSN 1049-8176) is published weekly during the legislative session by the Minnesota House of Representatives Public Information Office, 100 Constitution Ave., St. Paul, MN 55155-1298. Periodicals postage paid at St. Paul, MN, and at additional mailing offices. POSTMASTER: Send address changes to *Session Weekly*, Public Information Office, Minnesota House of Representatives, 175 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled,  
30% post-consumer content.



## CONTENTS

### HIGHLIGHTS

Banking • 5  
Business • 5  
Crime • 5  
Elections • 6  
Environment • 6  
Gambling • 6  
Game & Fish • 7

Government • 7  
Health • 8  
Higher Education • 9  
Housing • 9  
Industry • 10  
Insurance • 10

Local Government • 11  
Recreation • 11  
Safety • 12  
Technology • 14  
Transportation • 14  
Veterans • 14

### FEATURES

**At Issue: Technology** — Now 35 years old, public broadcasting receives a relatively small percentage of its budget from state and federal sources. • 15

**People** — Rep. George Cassell (R-Alexandria) is planning a run for the Minnesota Senate this fall. He is leaving the House after this term, having been paired in the same district as Rep. Torrey Westrom (R-Elbow Lake). • 16

**People** — Rep. Bob Milbert (DFL-South St. Paul) will step down from his seat in the Minnesota House after 16 years in the Legislature. • 17

**Policy** — Legislators draw on a number of sources, including other states, to find ideas for Minnesota laws. • 18

### DEPARTMENTS/RESOURCES

It's a Fact: Arbor Day assets	4	Bill Introductions (HF3713 – HF3714)	22
Resources:		Committee Schedule (April 15-19)	22
Minnesota House of Representatives		Reflections: State Capitol motifs	23
Members by Term	19	Minnesota Index: Smoking statistics	24
Governor's Desk			
(CH280, CH315 - CH332)	21		

**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  
★ ★ ★

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, Laverne, 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**

**P**ublic 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

**W**hen 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 OLMSCHEID

**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

<b>15th</b>	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
<b>14th</b>	Henry J. Kalis Tom Osthoff				
<b>13th</b>	Mike Jaros* Mary Murphy Wes Skoglund*				<b>2nd</b>
<b>12th</b>	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
<b>11th</b>	Karen Clark	<b>4th</b>	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		
<b>10th</b>	Dave Bishop Loren A. Solberg				
<b>9th</b>	Loren Geo Jennings Bernie L. Lieder Dennis Ozment				
<b>8th</b>	Andy Dawkins John Dorn Bob Milbert Gene Pelowski, Jr. Tom Rukavina Jean Wagenius Ted Winter				
<b>7th</b>	Ron Abrams Alice Hausman Mary Jo McGuire Thomas W. Pugh				<b>1st</b>
<b>6th</b>	Gregory M. Davids Ron Erhardt Kevin Goodno Philip Krinkie Peggy Leppik Carlos Mariani Doug Peterson Steve Smith	<b>3rd</b>	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
<b>5th</b>	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](http://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 unemployment 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.

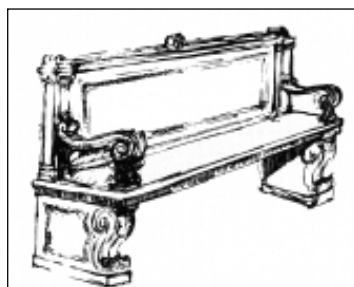


Photo courtesy of North Star Statehouse by Thomas O’Sullivan.

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.

### 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  
the status of a specific bill, call:  
**House Index Office**  
(651) 296-6646

For an up-to-date recorded message  
giving committee meeting times and  
agendas, call:  
**Committee Hotline**  
(651) 296-9283

The House of Representatives can be  
reached on the World Wide Web at:  
<http://www.house.mn>

Teletypewriter for the hearing impaired.  
To ask questions or leave messages,  
call:  
**TTY Line (651) 296-9896 or**  
**1-800-657-3550**

Check your local listings to watch  
House committee and floor sessions  
on TV.

**Senate Information**  
(651) 296-0504  
1-888-234-1112

**Senate Index**  
(651) 296-5560

This document can be made available in alternative  
formats to individuals with disabilities by calling  
(651) 296-2146 voice, (651) 296-9896 TTY, or  
(800) 657-3550 toll free voice and TTY.