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In this issue:

STATE OPERATED SERVICES

HISTORY OF SCHOOL DISTRICTS, AND MORE

HF3717

Session Weekly

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On the cover: The statue of Maj. Gen. James Shields, one of four statues of Civil War generals on the second floor of the Capitol Rotunda, stands guard over the Capitol. Shields defeated Stonewall Jackson at the battle of Winchester, Va. in 1862. He also served as a U.S. Senator from Illinois, Minnesota, and Missouri.

—Photo by Tom Olmscheid

Sticking point

State Operated Services among major issues legislators struggle to resolve in budget balancing negotiations

By SARAH MCKENZIE

The Legislature and the Ventura administration have been at odds over cuts to the State Operated Services (SOS) system this session — a network of community-based facilities serving the mentally ill, disabled, and chemically dependent.

While lawmakers and state officials agree they want to maintain a high standard of patient care, there is considerable disagreement about how to proceed on spending reductions and whether to close certain facilities.

In January Gov. Jesse Ventura released a plan calling for consolidation and relocation of a number of regional treatment centers run by the Department of Human Services. The proposal was largely rejected by the Legislature.

However, Rep. Kevin Goodno (R-Moorhead), chair of the House Health and Human Services Finance Committee, has maintained those cuts were meant to trim administrative expenses, not direct care.

The governor's plan called for the following:

- relocating nursing home services at the Ah-Gwah-Ching Center in Walker to the state nursing home in Brainerd;
- moving adult mental health services at Fergus Falls Regional Treatment Center to community programs in northwestern and west-central Minnesota;
- moving the Willmar Regional Treatment Center adult mental health program to the St. Peter Regional Treatment Center; and
- vacating the Ah-Gwah Ching campus and

portions of the Fergus Falls and Willmar campuses, allowing for other uses of the properties.

Human Services Commissioner Michael O'Keefe said the plan would keep or increase the current level of direct patient care.

"Because of the expected revenue shortfall, we are accelerating plans set in 1998 to reduce the infrastructure and

simplify the administration of SOS," O'Keefe said. "These actions will allow resources to be focused on client care instead of overhead to maintain outdated, surplus infrastructure."

Goodno said there has been little support for the administration's plan.

"There was a commitment to maintain those facilities," Goodno said.

Rep. Luanne Koskinen (DFL-Coon Rapids), who serves on the health and human services



PHOTO BY ANDREW VON BANK

The House Rules and Legislative Administration Committee debates a resolution at its April 22 meeting to have the House recess until May 6. Members noted that budget negotiations are not progressing and suggested the recess to allow members time to go back to their districts while negotiations continue.

Instead, lawmakers approved across-the-board department spending cuts — \$8.9 million in 2003 and \$4.8 million in 2004-05. The cuts were included in the March budget-balancing law, which addressed a projected \$1.9 billion deficit for the current biennium.

Department officials have argued that the initial budget-balancing law forced them to lay off hundred of state workers and subsequently lengthen waiting lists for services.

Committee approves recess, but full House takes no action

The House Rules and Legislative Administration Committee approved a resolution April 22 that would provide for a 10-day recess. But the full House took no action on the proposal, making a recess as defined by the resolution unlikely.

The committee resolution would have allowed the House, upon adjourning its daily session April 25, to set its next meeting date for Monday, May 6. The state constitution provides that neither house may adjourn for more than three days, Sundays excepted, without the consent of the other body.

The Senate would not have to recess; it would merely have to vote to consent to the House resolution. As a result, the Senate could continue to meet and use up legislative days while the House recessed.

As of April 25, the Legislature has used 102 of its 120 legislative days. The House is scheduled to meet in regular session April 29.

Speaking in favor of the resolution, House Majority Leader Tim Pawlenty (R-Eagan), committee chair, said the resolution would allow most members to return to their districts while budget negotiations continue. Pawlenty said legislative leaders are not making much progress.

"The negotiations have ground to a near halt," Pawlenty said at the meeting. "Progress has been slow and not particularly meaningful. It is not going well."

House Speaker Steve Sviggum (R-Kenyon) echoed Pawlenty's comments, saying the recess would allow members to go home and not have to be away from their families or draw per diem payments.

Said Pawlenty, "It's a window whereby conference committees could work, and the rest of the members could go out and clear their heads for awhile."

DFL committee members questioned the timing of the resolution and its effectiveness. They said that it doesn't make sense to send members home and take the pressure off negotiators if things aren't going well.

"Where's the urgency?" asked Rep. Ted Winter (DFL-Fulda).

House Minority Leader Tom Pugh (DFL-South St. Paul) asked why May 6 was chosen. The date falls immediately after the state DFL convention set for May 3-5, where DFL delegates will nominate a candidate for governor.

Senate Majority Leader Roger Moe (DFL-Erskine), a key negotiator, is seeking the party endorsement for governor. Pawlenty is also running for governor, but the state Republican convention is not until June.

Sviggum said the convention might have affected the dates chosen for the proposed recess, claiming the Senate has not been willing to negotiate. He said it would provide a break and would still allow enough time for the Legislature to finish its work before the May 20 constitutional deadline.

The resolution awaits approval by the full House and consent from the Senate.

(M. KIBIGER)

finance and policy committees, concurs.

She said the proposed moves would be disruptive to the clients served at the treatment centers. Koskinen added that Ah-Gwah-Ching, in particular, has specialized treatment programs that would be difficult to duplicate elsewhere.

The facility serves individuals with severe behavioral problems. In 2000 the Legislature overrode a gubernatorial veto of a bill calling for the center to remain open.

The Legislature, however, did signal that it would approve a downsized treatment center in Fergus Falls in the budget balancing law.

As for talks on proposals to shore up the remaining \$439 million budget deficit, House and Senate conferees working on the second budget-balancing bill continue to debate further cuts to State Operated Services.

The House has proposed shifting \$5.2 million from a State Operated Services account to the general fund for fiscal year 2002.

House members have identified the money as a surplus generated in the account. Goodno has argued the Legislature should have more oversight of the department's revenue accounts.

Lawmakers and state officials have expressed disagreement about the impact of that move. The Senate's budget proposal does not include the funds shift.

As part of the ongoing exchange of budget compromise solutions between House and Senate leaders in recent weeks, the House has agreed to restore \$3.4 million in cuts to regional treatment centers, including \$1.4 million to prevent the closure of the Fergus Falls center.

However, conferees have exchanged offers, but they have not voted on specific language.

The State Operated Services system represents the following community-based programs:

- regional treatment centers in Anoka, Brainerd, Fergus Falls, St. Peter, and Willmar;
- Ah-Gwah-Ching, the state nursing home in Walker;
- the Eastern Minnesota State Operated Community Services and Northern Network East — a group of programs in northeastern Minnesota for individuals with mental illness, drug problems, and disabilities; and
- Forensic Services, which includes the Minnesota Security Hospital in St. Peter, the Minnesota Sex Offender Program in Moose Lake and St. Peter, and the Minnesota Extended Treatment Options program in Cambridge. 🐼

Correction

A resource list provided in the April 19 issue of *Session Weekly* misidentified the Web site for the Department of Economic Security.

Please note the Web site should be www.mnwfc.org.



All aboard

Thousands of homeless and neglected children left the East on orphan trains seeking 'Midwestern morality'

Some of the first charges of Minnesota's foster care system had been sent from the East, with the hopes of a better, more stable life.

In 1853, the New York Children's Aid Society began transporting trainloads of orphaned and neglected children to new homes in the West. The idea was also later adopted by other charities along the Eastern seaboard.

This Emigration Plan, as the children's society called it, was designed to save the thousands of homeless children who were straining New York's limited social services in the mid-19th century. Organizers believed the orphan trains, as they later became known, were the best alternative to life on the streets that could lead to prison, prostitution, or the poor house.

The movement brought westward an estimated 200,000 children between the 1850s and 1920s, including more than 3,500 of them to Minnesota.

"The object of the coming of these children is to find homes in your midst, especially among farmers, where they may enjoy a happy and wholesome family life, where kind care, good example and moral training will fit them for a life of self-support and usefulness," reads a handbill heralding the arrival of a company of orphaned children to Winnebago, Minn., on Jan. 11, 1907.

Usually, the children were trotted out for review in a large gathering space such as a church or a courthouse.

"It was a pathetic sight, not soon to be forgotten, to see those children and young people, weary, travel-stained, confused by the excitement and unwonted surroundings, peering into those strange faces," wrote Rev. Hastings H. Hart, secretary of the Minnesota Board of Corrections and Charities. "There was little time for consultation, and refusal would be embarrassing; and I know that the committee consented to some assignments against their better judgment."

Many of these so-called orphans found loving homes or decent care at the very least and thrived in their new surroundings. Two notable "riders" were John G. Brady and

Andrew H. Burke, who rolled out of New York City on the same train bound for Indiana and grew up to govern the Alaska Territory (1897-1906) and North Dakota (1891-93), respectively.

But there was a tragic side to the placements, too. Children were encouraged to break ties with the family they left behind,



Needy children ride an orphan train bound for the West in 1904.

which often included siblings and at least one living biological parent. Some prospective parents were looking for children to love; others were merely looking for farm hands. And although agents were employed to check on the youngsters, hap-

hazard supervision left the door open for abuse or exploitation.

The most notorious of the orphan train placements, Charley Miller, rebelled against what he alleged was brutal treatment on a Minnesota farm and took to riding the rails. He later killed two young men in Wyoming and was hanged for the crime at the age of 15. The sensational newspaper accounts of Miller's life and its fateful end fueled a growing sentiment against orphan trains.

In 1884, Hart was the first to present an independent critique of the program to a national child welfare board. His findings prompted the 1899 Legislature to pass a law requiring charities to register with the state, screen prospective families more carefully, and beef up post-placement monitoring.

Minnesota was one of the first states to regulate placement of children from other states. Today, all 50 states, the District of Columbia and the U.S. Virgin Islands have signed a compact designed to track children and supervise adoptions across state lines.

While the orphan train movement has been both romanticized and demonized in various plays, books, documentaries, and fictional accounts, perhaps its most important legacy is that the riders' stories prompted the creation of a more heavily scrutinized child welfare system across the nation.

(N. Wood)

Photo courtesy New York Children's Aid Society

BUSINESS

HMO cost-sharing increases

Enrollees of health maintenance organizations (HMOs) may be paying more in deductibles and copayments.

A provision for HMO cost-sharing was one of the amendments attached to the Department of Commerce housekeeping bill (HF2989/SF3024*) on the House floor April 22.

The House passed the bill 96-35. It now returns to the Senate.

HMOs would have more flexibility under the amendment, which was sponsored by Rep. Fran Bradley (R-Rochester).

If the law doesn't change, "HMOs will cease to exist in five or six years," said Rep. Thomas Huntley (DFL-Duluth).

The maximum annual deductible would be raised from \$1,000, the current limit, to \$5,000 per person or \$10,000 per family.

The maximum annual out-of-pocket expense is presently \$3,000 per person and \$5,000 per family. This amount would be raised to \$8,000 and \$15,000. The maximum copay would go from 25 percent to 50 percent.

Several businesses and the Minnesota Chamber of Commerce support the legislation.

However, the amendment met some opposition on the House floor.

"This is a hard hit on the pocketbooks of Minnesotans," said Rep. Betty Folliard (DFL-Hopkins).

The amendment was adopted.

Another of the bill's provisions would allow cosmetologists, manicurists, and estheticians from other states to obtain reciprocal licenses.

The bill originally increased the number of hours from four to seven that a real estate appraiser must spend in continuing education about the laws regulating standards of professional practice. But Rep. Ray Vandever (R-Forest Lake), with a successful amendment, deleted that new provision. He called it "an unnecessary bureaucratic requirement."

Another successful amendment, sponsored by Rep. Greg Davids (R-Preston), would prohibit suppliers of agriculture products — seed corn dealers or cooperatives — from offering discounts to entice a customer to buy insurance. These suppliers can still offer insurance, Davids said, but they just wouldn't be able to offer a discount relating to the sale of it.

Rep. Bill Haas (R-Champlin) and Sen. Linda Scheid (DFL-Brooklyn Park) are the bill sponsors.

CRIME

New punishment

Signed
by
the
governor

Activist groups and others who take credit for crimes will face a tougher penalty, under a new law signed April 24 by Gov. Jesse Ventura.

The law is designed to discourage activist groups from taking responsibility for crimes, sponsor Rep. Tom Workman (R-Chanhassen) said during the House debate.

By a 119-8 vote, the law was passed by the House April 15. The Senate did the same 57-0 three days later. Sen. Dave Kleis (R-St. Cloud) also sponsored the law.

The change makes it a gross misdemeanor for people to assume responsibility for crimes they have not been convicted of in order to impede, prevent, or obstruct a criminal investigation. This provision takes effect Aug. 1, 2002.

It also allows those who destroy crops, animals, or other organisms used for research to be civilly liable for up to three times the amount of the value of the damage, including the estimated value of the research related to the organisms or items destroyed. That change takes effect July 1, 2002.

A \$100,000 fine could be assessed to compensate for any delays in research resulting from the crime.

Workman has said the bill is aimed at groups such as the Earth Liberation Front, which publicly took credit for millions of dollars worth of damage when a January fire damaged a lab at the University of Minnesota's Microbial and Plant Genomics Research Center.

HF3048/ SF2460*/CH348

Restricting sex offenders

Six lawmakers have begun discussing proposed changes to the way the state handles sex offenders.

Members of a conference committee met April 24 to work out differences between the House and Senate version of the bill (HF3613/SF3172*). They debated several House provisions that were added to the bill during floor debate.

Rep. John Tuma (R-Northfield) and Sen. Dave Knutson (R-Burnsville) are the bill sponsors.

Much discussion focused on where level 3 sexual offenders, those who are most likely to re-offend, live once they are released from custody.

Rep. Karen Clark (DFL-Mpls) encouraged

Senate members to accept a House provision that bans such offenders from living within 1,500 feet, or about three city blocks, of each other. Another provision would prohibit them from living within 1,500 feet of parks or schools.

Some neighborhoods in Minneapolis have very high concentrations of offenders, while other areas in the city and around the state don't have any, she said.

Will Alexander, the Department of Corrections community notification director, said the provisions would make it even harder for sex offenders to find housing.

"This renders the entire city of Minneapolis off-limits except for a few blocks," he said.

Another provision would extend the advance notice that a level 3 sex offender must give before moving into a new residence from five to 21 days.

In cases where advance notice is not possible, it would require a notice to be posted at the residence until public meetings can be held to inform neighbors.

Annmari O'Neill, a program administrator with the Bureau of Criminal Apprehension, called the plan "unenforceable," noting that many offenders drift from one home to the next.

"Most don't know what they're doing tomorrow, let alone 21 days from now," she said.

Other provisions discussed include one that would prevent landlords receiving money from the state to house victims of domestic abuse from renting to sex offenders at the same time, and information presented at community notification meetings would have to be translated in up to three different languages.

Identical sections of the House and Senate bills would extend the probation period to 10 years if a sex offender has multiple convictions, including convictions from other states or the federal government.

Also agreed upon is a section that would make it a felony for people to harass or stalk children with sexual or aggressive intent if the offender is more than three years older than the victim.

The committee passed only the identical sections of the bill, and plans to meet again to discuss the House provisions.

ENERGY

Energy plant study

A bill that would have ordered the construction of an energy plant on the Iron Range may be reduced to a study. New language would instruct the commerce commissioner to assess criteria that could be used to evaluate and select bids for a plant.

The commissioner would have to hold public hearings to assist in the evaluation, and present a report of the findings to the Legislature by Jan. 15, 2003.

The proposal for the study was introduced as an amendment to the economic development omnibus bill (HF3648/SF3431*) at the April 23 meeting of the House-Senate conference committee. Rep. Dan McElroy (R-Burnsville) and Sen. Ellen Anderson (DFL-St. Paul) are the bill sponsors.

"We're doing as much as we can to keep the project alive without putting it in law," said Rep. Ken Wolf (R-Burnsville). Wolf is chair of the House Regulated Industries Committee, and he sponsored major energy legislation that became law in 2001.

The original bill, sponsored by Sen. David Tomassoni (DFL-Chisholm), called for a state-of-the-art coal-burning plant to be constructed on the Iron Range. That legislation was sized down to require the Public Utilities Commission to draft new criteria for reviewing energy plant proposals. Wolf spoke strongly against both bills because neither had received a House hearing and both needed to go through the legislative process, he said.

McElroy, co-chair of the conference committee, said he thought it was important to move forward on the legislation this year for economic development reasons. He cited good-paying jobs, property tax revenue, state control over environmental concerns, and reduced energy transmission costs.

"I'm comfortable setting this aside for awhile," said Sen. James Metzen (DFL-South St. Paul).

The conference committee took no final action on the plan.

apply to any agricultural use of phosphorus.

In Greater Minnesota, a small amount of phosphorus will be permitted in liquid and granular fertilizers.

The restrictions take effect Jan. 1, 2004.

Phosphorus overuse has been linked to algae overgrowth — vegetation that chokes other aquatic life in many water bodies.

The law immediately preempts local ordinances restricting the sale or application of the nutrient for farming uses.

Other local ordinances regulating the use of phosphorus on grass will be grandfathered in if they are adopted before Aug. 1, 2002.

Applying the fertilizer to any impervious surface, such as a street, sidewalk, or parking lot, is also prohibited under the new law.

Rep. Peggy Leppik (R-Golden Valley), a sponsor along with Sen. Linda Higgins (DFL-Mpls), said a statewide policy is necessary to establish uniformity and avoid perpetuating a confusing "patchwork of local ordinances" regulating phosphorus.

Meanwhile, Rep. Mark Buesgens (R-Jordan), who voted against the bill, said fertilizer regulation should remain locally controlled.

"We shouldn't be dabbling in everything under the sun," he said.

The agriculture commissioner, along with the University of Minnesota Extension Service, the fertilizer industry, and lake groups, are required to provide consumers with best practices information on lawn fertilizers under the law. The commissioner is also required to report to the Legislature on the effectiveness of phosphorus-fertilizer restrictions by Jan. 15, 2007.

A violation of the law will be a petty misdemeanor.

HF1524/SF1555*/CH345

Sewage provisions

The Minnesota Pollution Control Agency would not be required to issue rules related to individual sewage treatment systems for a temporary period, under a bill passed April 22 by the House.

The bill (HF3129/SF3134*) cleared the House floor on a 129-0 vote after members approved a motion to insert the House language into the measure. The Senate, which previously passed it 63-0 on March 20, called for a conference committee to work out differences between the two versions.

Rep. Mark Holsten (R-Stillwater) and Sen. Linda Higgins (DFL-Mpls) are the bill sponsors.

Specifically, the bill states that the agency would not be required to "add, remove, or reclassify" individual sewage treatment system "technologies, designs, or system components" through rulemaking or existing rules until July 1, 2003.

Typically, the systems must pass muster with the state's Pollution Control Agency before they can be installed.

The bill would also repeal state law allowing the Pollution Control Agency to issue grants and loans to local governments and businesses for waste tire programs.

Members also approved an amendment to the bill that would require that items in appliances that may contain PCBs or chlorofluorocarbons be removed in a closed facility if the activity takes place within 500 feet of a public water body. The bill would designate that point as the water body's "ordinary high water level."

The Senate-passed version of the bill has a broader scope. It would also direct the PCA

★ ENVIRONMENT

Phosphorus-free grasses

Signed
by
the
governor
★ ★ ★

The application of phosphorus fertilizers on lawns in the Twin Cities metropolitan area will largely be banned under a new law.

Gov. Jesse Ventura signed the measure April 19 after the House passed the conference committee report 115-14 on April 15. It cleared the Senate 58-1 earlier in the day.

The new law prohibits the use of phosphorus-based fertilizer in the seven-county metropolitan area unless a soil test conducted within the past three years determines there is a need for the nutrient. Property owners laying sod for the first time and licensed professionals applying fertilizer on golf courses will be exempt from the ban. It also does not

WHAT A DIFFERENCE . . .



PHOTO BY TOM OLMSCHIED

Legislative employee Troy Lawrence passes under a snowy arch of branches April 22 as he makes his way into the State Office Building. One week earlier it was 90 degrees in the Capital City.

to report back the Legislature by Jan. 15, 2003 on the agency's water quality permit program.

The study would be required to address the agency's water permit backlog, including an examination of the number of facilities operating with expired permits and the number of on-site inspections. The Senate bill would also establish a central Iron Range sanitary sewer district.

★ GAME & FISH

Studying ATV use

A game and fish omnibus policy bill calling for a motorized trail task force to study all-terrain vehicle use is on its way to the governor.

The House passed the conference committee report (HF2920/SF2674*) 124-7 on April 22 after it cleared the Senate earlier in the day on a 60-0 vote.

Rep. Dennis Ozment (R-Rosemount) and Sen. Jane Krentz (DFL-May Township) are the bill sponsors.

Under the bill, the Department of Natural Resources (DNR) would be directed to create the task force and report back to the Legislature by Jan. 15, 2003 with recommendations on a number of ATV-related issues. Those issues include trail development and ways to minimize environmental impacts such as soil erosion and loud noise.

Ozment proposed the task force as a compromise measure. Environmental groups and recreational motorized user groups have signaled support for the planned study.

During floor debate, Rep. Alice Hausman (DFL-St. Paul) questioned whether a task force would do enough to address the issue, noting pressure has been building in both bodies to add more restrictions to ATV use.

"Do we potentially slow down that momentum and get in the way of the DNR?" she asked.

In response, Ozment noted that another ATV-related bill is advancing in the Legislature.

The bill (HF2970), sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. LeRoy Stumpf (DFL-Thief River Falls), would ban cross-country ATV travel for non-hunters in state forests. It would also appropriate \$1.2 million for trail maintenance and monitoring activities.

Hackbarth said House and Senate conferees are close to resolving their differences on the measure.

The game and fish omnibus bill would also allow limited prairie chicken hunting and ban the use of motorized duck decoys during the beginning of the duck-hunting season.

Additionally, restrictions would be placed on recreational shining — the practice of

CAPITOL IDEA



PHOTO BY TOM OLMSCHIED

Fourth-grade students from St. Croix Catholic School in Stillwater don their Capitol dome hats as they look over a House gallery railing to locate the voting buttons on members' desks during an April 24 tour.

using car headlights or flashlights to spot deer. Shining lights onto residential properties from a moving motor vehicle would be banned between 6 p.m. and 6 a.m. It would also be prohibited on agricultural land at night if the area were posted with signs banning the activity.

The bill would also make modifications to deer hunting regulations. It would permit a lifetime deer hunting license by archery in addition to firearms, currently allowed under state law. Hunters with an all-season deer license would be permitted to take one doe in addition to a buck under another provision.

Further, commercial turtlers would see a license fee increase under the bill. The fee for selling turtles would increase from \$70 to \$250. A recreational turtle license would be \$25 and a turtle seller's apprentice license would be \$100.

★ GOVERNMENT

Emergency call center funds

A 911 emergency services bill was amended to cancel a deficit in funds for emergency call centers around the state.

Rep. Matt Entenza (DFL-St. Paul), the amendment sponsor, said the deficit is a result of the enhanced service for mobile phones.

The House passed the measure (HF2550/SF2392*) 114-17 on April 22. It now returns to the Senate for approval.

The amendment would use \$31.8 million of state money, and would also pay for additional equipment to develop advanced call locator systems and to meet the increased

demand of calls, which have mostly come from mobile phones.

Sponsored by Rep. Mike Osskopp (R-Lake City) and Sen. James Metzen (DFL-South St. Paul), the bill makes several technical changes to 911 emergency services to reflect technological changes, such as wireless telecommunications.

It also makes several changes to streamline the process by which phone companies are reimbursed for 911 services, which will help small telephone companies, Osskopp said.

Under the plan, the Public Utilities Commission would be removed from the billing process. Currently, the commission signs off on payments from service providers who are being reimbursed for providing 911 services.

Additionally, the bill would require that the Department of Administration, which handles the reimbursements, pay the invoices within 30 days, instead of 90 days, as is in existing law.

The bill is supported by the Minnesota Telephone Association.

★ HEALTH

Organ donation

Gov. Jesse Ventura signed a law April 24 that will ensure that the wishes of people who intend for their organs be donated when they die are honored by their families.

The law, called the Darlene Luther Anatomical Gift Act, will make sure that people who designate themselves as organ

Signed
by
the
governor
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donors on their driver's licenses ultimately become donors. It is effective April 25, 2002.

Rep. Phyllis Kahn (DFL-Mpls), who sponsored the measure with Sen. Jane Ranum (DFL-Mpls), said most people assume that marking the box on their driver's license form means they will be a donor.

But that designation is often ignored or overridden by family members after the person's death, she said.

Donors would still be able to change their donor designation at any time, she added.

Effective Dec. 1, 2002, an additional provision requires that people applying for a driver's license or state identification card be given information about organ donation. That information includes a description of donation, the importance of letting family members know of one's wishes, and a telephone number of a certified Minnesota organ procurement organization one may contact for more information.

The law is named after the late Rep. Darlene Luther (DFL-Brooklyn Park). Luther, who died Jan. 30 of cancer, had received a liver transplant.

HF2473*/SF2807/CH349

★ HUMAN SERVICES

Treatment changes

A human services policy bill passed by the House April 22 would allow registered nurses to issue medication and vaccines that require prescriptions to patients under certain conditions.

Members voted 129-0 to pass the bill (HF3350), sponsored by Rep. Jim Abeler (R-Anoka).

It now goes to the Senate where Sen. Sheila Kiscaden (R-Rochester) is the sponsor. The Senate companion would establish a donated dental services program.

House members defeated an amendment that would have transferred \$30 million from a cash-flow account to increase state payments to nursing homes.

Under the bill, nurses would be allowed to implement a protocol that does not apply to a specific patient but has been approved by a licensed practitioner to treat symptoms associated with a particular medical condition.

A conference committee met April 25 to work out differences in another bill related to nurse protocols (HF3359).

The bill would also allow a clinical nurse specialist to petition the Minnesota Board of Nursing before July 1, 2007, for a waiver from a certification requirement. The certification requirement relates to an advanced practice registered nurse designation.

Another section of the bill would establish the Department of Human Services commissioner as the designated state agent for carrying out responsibilities related to the federal Ryan White Comprehensive AIDS Resources Emergency (CARE) Act. Previously the Department of Health served that role.

Further, the measure would exempt antihemophilic factor drugs prescribed to treat hemophilia and blood disorders from prior authorization requirements if there are no generically equivalent drugs available. The commissioner, however, could require prior authorization if it were needed to ensure patient safety.

The final section of the bill would allow social services providers contracted by the county to treat foster care children in order to continue providing services to children who move to a different county.

★ INSURANCE

Health coverage

Signed by the governor ★ ★ ★
A new law will allow the state's health commissioner to create five rural health maintenance organization projects for the purposes of expanding insurance coverage to people in Greater Minnesota.

Gov. Jesse Ventura signed the measure April 19 after the House and Senate passed a conference committee report by wide margins April 15.

The vote in the House was 130-0, and it passed 60-0 in the Senate.

Sponsored by Rep. Maxine Penas (R-Badger) and Sen. Dallas Sams (DFL-Staples), the new law allows the state to waive some HMO-related regulations so policyholders can create more flexible purchasing coalitions.

In drumming up support for the bill on the House floor, Penas spoke of the difficulty many rural Minnesotans face in securing health insurance.

A study by the Center for Rural Policy and Development at Minnesota State University, Mankato indicates that 33 percent of full-time workers don't have access to employer-sponsored health insurance while 85 percent of part-time workers lack access.

The purchasing coalitions are intended to create larger pools of policyholders, which are expected to lower premiums for most customers.

Project participants will also be allowed to individualize health plans more tailored to their medical needs.

The health commissioner and purchasing coalition will be required to make annual progress reports to the Legislature. A final

report detailing the following will be required five years after the project begins:

- the project's impact on the number of uninsured in the area,
- the effect on health insurance premiums for both those enrolled in the purchasing coalition and those not participating, and
- the level of participation among enrollees in designing the project.

The law is effective April 20, 2002.

HF2935/SF2909*/CH346

LAW



Motor vehicle records

The House passed a bill 131-0 April 18 that would allow members of the media to access motor vehicle records kept by the state if the information requested is related to the operation of a motor vehicle or public safety.

The bill (HF2649/SF2448*) also gives the public safety commissioner the authority to deny such requests if he or she feels the person asking for the information is likely to use the data for illegal, improper, or non-investigative purposes.

Rep. Steve Smith (R-Mound), the House sponsor, said the bill is a technical change that corrects what appears to be an oversight. A measure passed in 1996 changed Minnesota's law regarding driver's license records to comply with federal regulations, but excluded motor vehicle records.

The bill was amended on the House floor to reflect changes worked out with Public Safety Commissioner Charlie Weaver, Smith said.

During a Feb. 13 House Civil Law Committee meeting, Jeff Kummer, projects editor at the *St. Paul Pioneer Press*, said the newspaper has used the vehicle records in the past to do investigative stories, such as a series about chronic drunken drivers.

Without the use of the information in the database, such public interest stories would be impossible, he said.

The federal Driver's Privacy Protection Act passed by Congress in 1994 protects the privacy of driver's license information and vehicle registration laws. The law allows states to grant 14 exceptions when information can be released.

The Senate voted April 22 to not accept House changes, and a conference committee was appointed to work out the differences.

Sen. Don Betzold (DFL-Fridley) is the Senate sponsor.

★ SAFETY

A sparkling idea

Sparklers are in, but other fireworks are not part of a plan to legalize some fireworks now on its way to the governor.

The House repassed a bill (HF2525/SF2960*) April 22 by a 78-49 vote that would allow people 18 and older to purchase certain fireworks including sparklers, snakes, and glow worms, and trick noisemakers for use on private property in the state.

On a 34-30 vote, the Senate repassed the bill the same day.

Under the measure, people under the age of 18 would be prohibited from purchasing the items, and photo identification would be required at the time of the sale.

Sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. Debbie Johnson (R-Ham Lake), the bill originally dealt with extending volunteer firefighters' benefits by prohibiting employers with at least 10 employees from taking disciplinary action against an employee who misses time while performing volunteer fire fighting duties. However, those provisions were removed in conference committee.

The House version of the bill sent to conference committee would have permitted the sale and use of federally approved fireworks during periods around July 4 and New Year's Day.

Rep. Mark Holsten (R-Stillwater), who originally offered the fireworks-related provisions as a separate bill (HF1543), said the compromise reached in the conference committee was to allow the sale of "novelty" items.

"There's no rockets red glare. There's no bombs bursting in air anymore," Holsten said.

Rep. Wes Skoglund (DFL-Mpls) said the bill would lead to the eventual legalization of other fireworks. He also pointed out that the original bill was about firefighters and "now it's a bill against firefighters."

"It's a bill that's going to start fires. It's a bill that's going to cause injuries. It's a bill that's not good for the children in the state," he said.

Red may mean 'go'

Motorcyclists may soon be able to legally drive through red lights if their motorcycle isn't detected by the stoplight, but bicyclists with similar problems might be out of luck.

Workers at the official Governor's Residence also appear to be out of luck and will soon be out of a job, as a conference committee working on the Department of Public Safety housekeeping bill approved the bill without a provision to keep the house open.

Gov. Jesse Ventura ordered the house to be



Gov. Jesse Ventura made an unannounced visit April 24 to the House-Senate conference committee working on the Department of Public Safety housekeeping bill (HF3203) to answer questions regarding the announced closure of the Governor's Residence. Ventura has said he will close the residence April 30 unless the Legislature restores \$175,000 of total cuts to the governor's office security budget. Conferees rejected a proposal that would have required Ventura to keep the house open for ceremonial purposes, but they did not vote on funding restoration.

closed April 30 in response to the Legislature's decision to cut \$175,000 from the governor's security detail contained in the law authorizing the first phase of budget reductions.

After a surprise visit by Ventura on April 24, an attempt to block the closing of the residence failed, and the provision was not included in the final package.

Included in the bill is language that would pave the way for online driver's license renewals by allowing the department to adopt rules related to how it administers eye exams when people apply for license renewals.

Patricia McCormack, driver and vehicle services program director, told committee members April 22 that the department is looking into ways to give the vision test online, or allow people to send in a certificate from an eye doctor.

Members also agreed to an exception of a requirement that airports match any federal funds. The one-time exception would allow airports in the state to receive federal money as part of the federal anti-terrorism package passed last fall in response to the events of Sept. 11.

Also included was a provision that would allow the adult spouse or close family member of a driver under age 18 to sign the license application if the minor is married or legally emancipated.

Rep. William Kuisle (R-Rochester) and Sen. Steve Murphy (DFL-Red Wing) are sponsors of the bill (HF3203).

In addition, committee members approved a provision that would allow special license

plates for veterans. The plates would read "Proud to Be a Veteran" and would be available to all veterans regardless of their specific service.

A measure that would level fees charged for certificates of title was scrapped after Senate members said they would have trouble getting the measure passed on the floor.

A provision requested by Rep. Sharon Marko (DFL-Cottage Grove) would provide \$400,000 for one year of increased bus service during work on the Wakota Bridge that spans the Mississippi River in South St. Paul.

That provision was adopted and the final report of the conference committee will now return to the full House and Senate for consideration.

Frequently called numbers (Area code 651)

Information, House	
175 State Office Building	296-2146
Chief Clerk of the House	
211 Capitol	296-2314
Index, House	
211 Capitol	296-6646
TTY, House	296-9896
Toll free	1-800-657-3550
Information, Senate	
231 Capitol	296-0504
TTY, Senate	296-0250
Toll free	1-888-234-1112
Secretary of the Senate	
231 Capitol	296-2343
Voice mail/order bills	296-2343
Index, Senate	
110 Capitol	296-5560

Nobody's perfect

Omission leads to debate between House, Senate conferees trying to make traditionally noncontroversial bill accurate

By LISA HILTON

The final rushed minutes of last year's special session produced a few technical errors that are now giving members a first-hand lesson in the old adage "Haste makes waste."

In the early morning hours of June 30, 2001, as both houses were scurrying to pass final spending bills, a six-word sentence was inadvertently misplaced in the massive omnibus state government finance bill.

Now, some House and Senate members must decide whether the Legislature should correct that mistake.

With thousands of bills each session, there are occasional, inadvertent omissions in the bills prepared by the Office of the Revisor of Statutes or language is allowed into the bill that isn't technically correct or is an incorrect reference to a section of law.

To fix these small technical changes, two bills are forwarded annually, known as the revisor's technical correction bills. One comes at the beginning of the session, to correct errors from the previous year, and a second follows at the end of the session, to correct anything that was discovered subsequent to a law's enrollment. The bills traditionally have little debate, since they are intended to contain only technical, nonpolicy, and noncontroversial items.

But this year, in a rare occurrence, House and Senate members couldn't agree on all parts of the bill, so a conference committee met April 23 to begin sorting out the differences.

At issue is a small section of the revisor's bill (HF3163), sponsored by Rep. Eric Lipman (R-Lake Elmo) and Sen. Don Betzold (DFL-Fridley), which would insert a missing sunset clause that was included in the state government finance law last year.

A conference committee added the sunset to a provision that requires the state Attorney General's Office to deposit all litigation or legal settlement proceeds in the state's general fund.

The problem is that the agreed upon clause was tacked onto the wrong section of the bill when it was drafted, so when the full House voted

on the bill, the clause was in an incorrect place.

The revisor's office requested the correction this year with the understanding that the Legislature intended to pass the bill as agreed upon in conference committee. But some House members have objected to the reinsertion of the clause since it didn't appear in the bill as the House initially approved it.

Senate conferees said they view not reinserting the language as a way to get out of an agreement made last year, while two House conferees view including the clause as unfair to members who may have voted for it without knowing it even existed.

Lipman said the sunset clause could be replaced but the revisor's bill isn't the place to go about it. In order to honor the integrity of the bill as a noncontroversial bill, the committee should err on the side of caution and the provision should be added to another bill, he said.

"Tempers have flared," he said. "That proves the point that this isn't a good fit for this bill."

But others insisted the change was technical

since it was agreed upon in conference committee and was meant to be included in law.

Sen. Richard Cohen (DFL-St. Paul) said the House should stand by the agreement reached by last year's conference committee and include the correction.

"It was a mistake by the revisor's office. Period," he said.

Rep. Andy Dawkins (DFL-St. Paul), the only House member on the committee to support the inclusion, agreed.

"The test is, 'But not for the revisor's error, would this be law?'" he said. "We do need to correct errors even if they deal with controversial issues."

The issue may seem trivial, but the provision that the lost sunset clause would effect could involve millions of dollars.

The sunset would put a June 30, 2003 expiration on a provision requiring the state Attorney General's office to place all funds from litigation or legal settlements into the state's general fund. Deputy Attorney General Kenneth Peterson said some of the proceeds had been going to charities such as food shelters, Toys for Tots, and the Humane Society.

The debate could carry more significance if Senate members refuse to agree to the bill without the sunset language replaced, since another provision in the bill is needed to bring the state into compliance with federal law.


Cecelia Dodge, special education supervisor with the Department of Children, Families and Learning, said without that change, the state would risk losing millions of dollars of special education money.

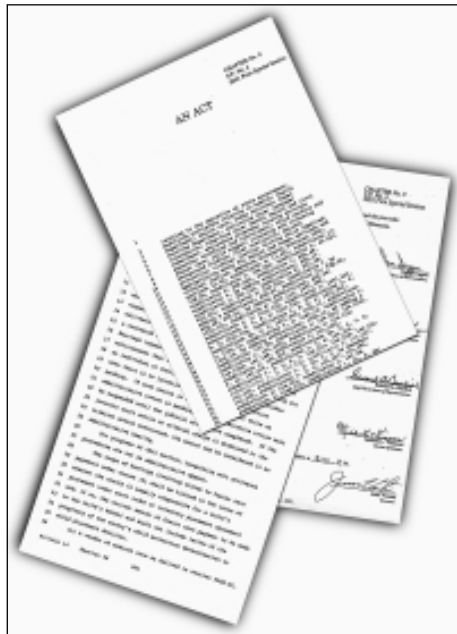
A similar correction the revisor's bill tackles is the exclusion of page 661 of the omnibus health and human services law Gov. Jesse Ventura signed last year.

Although the missing page was included during all legislative debates, it was not included in the copy signed by the governor.

To be safe, the revisor requested the Legislature re-pass the bill so the governor can again sign it, this time with page 661 included.

Both chambers also agreed to remove a section in the revisor's bill that would have changed the funding formula for special education.

Although the revisor's office was under the impression the change was technical in nature, House members familiar with the provision noticed its inclusion and objected, and both bodies removed the provision. 



The 2002 revisor's bill would correct a page omitted from the governor's copy of the 2001 health and human services funding law, among other technical corrections.

The clock is ticking

House members examine modifying welfare system before benefits for some Minnesotans expire this summer

By SARAH MCKENZIE

The federal welfare system, overhauled six years ago to encourage work and administrative flexibility at the state level, is set to expire in the fall, prompting many lawmakers to take stock of the reforms.

While Congress and President Bush are beginning to unveil plans to modify the system, Minnesota lawmakers have debated whether to extend benefits to welfare recipients who will bump up against a five-year time limit in July.

Republican House lawmakers charged with oversight of the health and human services committees have spoken out against relaxing the time limits, arguing they are necessary to encourage self-sufficiency. They have also pointed to extensions granted to a number of recipients by the 2001 Legislature.

Meanwhile, some House DFLers have argued the time limit, coupled with additional health and human services spending cuts, will harm Minnesota's poor families.

The clock started ticking for welfare recipients in 1997 when the Minnesota Family Investment Program (MFIP) became state law. It met requirements for federal welfare block grants that placed a cumulative five-year, lifetime limit on public assistance for most recipients.

The centerpiece of the 1996 federal welfare legislation was the requirement that families with children secure employment. However, it granted states considerable flexibility in determining what fulfills the work requirement.

In Minnesota, for example, a number of job-training programs have met the standard. Most beneficiaries are required to be involved in at least 30 hours of work activity, including education, per week.

Rep. Fran Bradley (R-Rochester), chair of the House Health and Human Services Policy Committee, said limiting benefits to five years has been an incentive to encourage welfare beneficiaries to become more independent.

"It's a lot more convincing when they know they have a time limit," Bradley said.

Rep. Luanne Koskinen (DFL-Coon Rapids), the DFL lead on the committee, said lawmakers should factor in the current economic conditions when making a determination about

extending benefits.

While acknowledging a number of recipients will likely qualify for exemptions, Koskinen expressed concern about the group of people left without state help.

"It leaves them without a safety net," Koskinen said. "What are we going to do for these people?"

She said she's particularly concerned about recipients with medical difficulties, chemical dependency problems, and other conditions that make it difficult for them to secure employment.

The 2001 Legislature appropriated \$19 million to extend benefits for about 52 percent of the families expected to reach the 60-month limit in fiscal year 2003, which begins July 1, 2002. About 6,800 families are expected to reach their time limit over the course of the fiscal year, according to a Department of Human Services report.

The 2001 law will grant extensions to a single-parent family that participates in at least 30 hours of work activity a week — 25 of which must be employment. A two-parent family will be obligated to work a combined 45 hours of the 55-hour weekly work activity plan.

In order to be granted an extension, recipients must be in compliance with welfare regulations for at least 10 of the 12 months before they reach the limit. The extensions would expire June 30, 2004.

Besides debating the time limit extension, state lawmakers have also begun weighing in on welfare reform proposals touted by President George W. Bush.

The president has called for maintaining the current level of federal spending on welfare block grants — \$17 billion annually from 2003 to 2007.

However, welfare recipients would be required

to spend at least 40 hours a week working or in a work-related activity — up from 30 hours.

In an address outlining his proposal April 18, the president said he wants to see 70 percent of welfare beneficiaries in the workforce by 2007.

In addition to the work requirements, the president has also proposed providing \$300 million to states for programs that support healthy marriages and \$135 million for abstinence programs.

Rep. Kevin Goodno (R-Moorhead), chair of the House Health and Human Services Finance Committee, said strengthening work requirements is a good concept but said states



PHOTO BY ANDREW VON BANK

Members of the House Health and Human Services Finance Committee meet earlier this session, where they discussed budget cuts and possibly extending welfare benefits to those approaching the 60-month limit.

should be left with "maximum flexibility."


Koskinen said toughening work requirements doesn't make sense while the economy is still in recession. She also questioned the appropriateness of the government encouraging marriage, arguing that should remain a personal decision.

(Some economists have determined that the national economy is coming out of recession, but Minnesota officials say the state is emerging at a much slower rate than other states.)

Bradley said he's supportive of the president's initiatives and said there's room for improvement in Minnesota's welfare system.

"I feel like we've been generous perhaps to a fault," Bradley said, adding that he would like to see the definition of work activity narrowed.

As for the marriage incentives, Bradley noted that a number of studies have found that kids fare better in two-parent families.

"To the extent that we can encourage people to have successful families, we win from a human point of view," Bradley said. 

Getting smaller

Number of school districts in state continues historical drop, but the total may not have yet hit bottom

By THERESA STAHL

As old as government in Minnesota, but modified to such a degree that what first existed is no longer recognizable, school districts in this state have been repeatedly consolidated. And they still aren't finished.

Formed in the mid-1800s, school districts popped up in townships across Minnesota. When state officials realized fewer districts weren't economically and educationally sound, they came forth with legislation that consolidated and reorganized districts. Over the years, the number has grown high as 8,000 and dropped to a low, where it now stands, at 340.

Minnesota Public Schools, by Fred Engelhardt, was published in 1934, when nearly 8,000 school districts existed. Engelhardt made a prediction in the book

personal gain, and prejudice and those that clearly point out the need for change, there will be no question as to the demands that will be made on the Legislature."

And demands they did make. The people, school administration, and one governor lobbied legislators to better organize school districts. The account of the state's repeated efforts for consolidation, according to *A History of the State Department of Education in Minnesota*, begins before Minnesota was a state.

Territorial laws designated the first school districts to be in townships that had at least five families. But the districts were thought to be too large and difficult to manage, and the early pioneers wanted schools to be located closer to their homes. So in 1851, county commissioners were required to form smaller school districts, disregarding township boundaries.

Many people speculated that those smaller districts might have contributed to problems down the road when school districts were consolidated and reorganized. Minnesota would not have experienced as many problems, they said, if the state had kept the larger township organization.

The state's first major attempt at reorganizing the school district system occurred in 1865 when the Legislature allowed incorporated cities, towns, and villages to create independent school districts. The districts were permitted to establish high schools, elect school boards, and have more control over education in their areas.

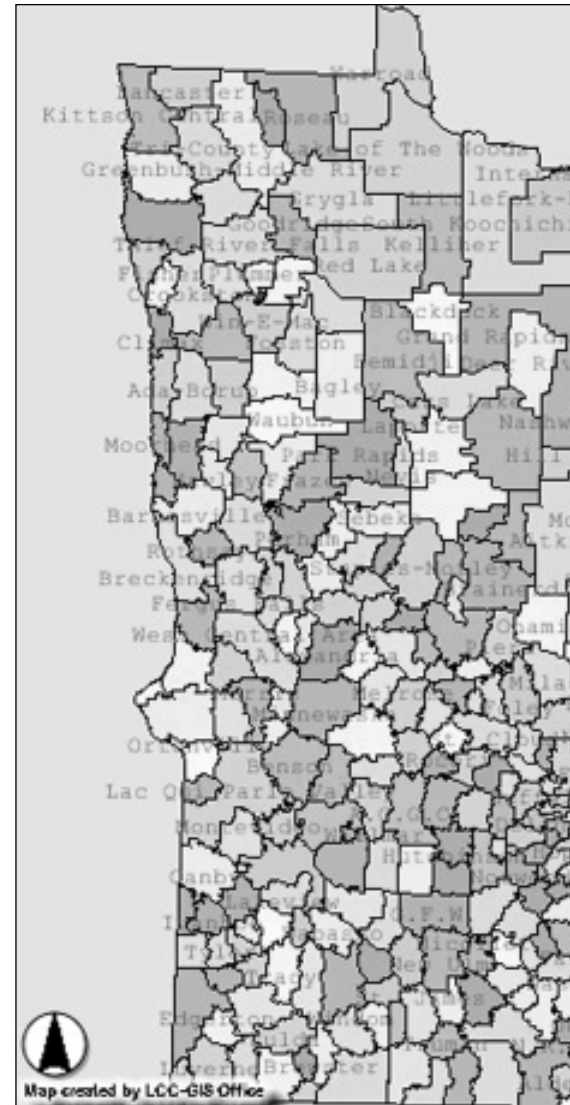


Schoolchildren of various ages and their teacher stand beside a one room schoolhouse near Albany, Minnesota in 1905.

more than 30 years before the largest overhaul of school district reorganization.

"The people of the state will insist on the larger school district when the facts are clearly known and understood," he wrote.

"When they are able to separate in their thinking the arguments against the proposed program that have their bases in selfishness,

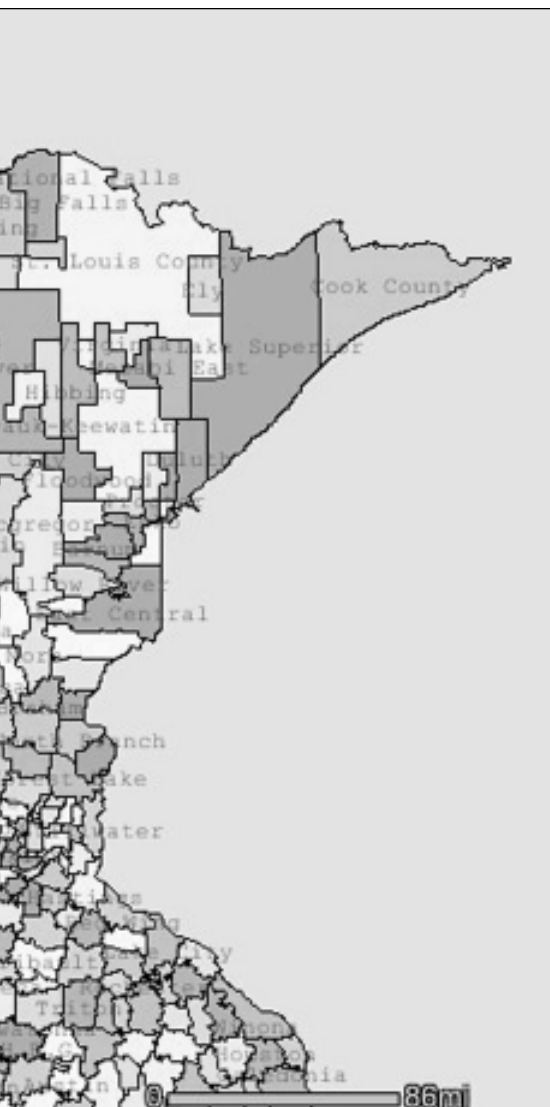


Map of 2002 Minnesota school districts.

At that time, the people determined it best that school boards manage the schools. For economical and educational reasons, the school boards found it was in the school's best interest that a superintendent be responsible for the general oversight of the local public educational system.

Several villages and cities prompted the second major school district reorganization. Upon their request, the Legislature gave some school districts a "special" classification, meaning they had oversight by the local government, authority to rule by their own charters, and had more independence than other school districts.

The plan proved unsuccessful for the 50 or so special charter school districts. They were not affected by new legislation for educational improvements, so they fell behind other districts in student progress. With the help of a constitutional amendment in 1892 prohibiting special charters for school districts, they were phased out over time.



Map courtesy of the Legislative Coordinating Commission's Geographic Information Systems Office

The movement of school district consolidation created quite a bit of controversy, according to the *History* report.

The vast number of school districts — 8,000 at the turn of the century — was weighing on the small staffs that coordinated them. A lobbying effort by several state superintendents resulted in legislation in the early 1900s enabling some districts to merge. But the effort, which was voluntary, mostly failed, partly due to farmers' fears that consolidation would mean higher taxes.

Gov. A. O. Eberhart, elected governor in 1910, is credited for the next force in school district consolidation. At the time, there were more than 2,000 one-room schools with fewer than 21 pupils, and another 300 with fewer than 11 pupils. According to one publication, Eberhart, who himself was taught in a one-room school house, "pleaded with the Legislature for state aid to encourage consolidation."

In 1911 the Legislature passed a law

offering a financial incentive to newly consolidated districts. They received annual aid up to \$1,500 a year and transportation for pupils who lived long distances from the school. In five years, 170 districts had consolidated.

Nothing more was done until 1947, when there were 7,679 districts and consolidation again became a priority.

This time, the Legislature created an advisory commission and charged it with conducting a program of district reorganization. There was some movement; however, the reorganization was again voluntary and deemed not very effective.

Driving the moves toward district consolidation was a desire by state officials to have a more uniform school district system so that the state's districts could be managed more efficiently.

The first mandatory reorganization took place in 1963. Under the new law, school districts not offering a complete K-12 program were required to join districts that had a high school or be terminated. By July 1965 there were 1,742 districts, a decrease of more than 5,800 in an 18-year period, according to the report.

But not all districts went according to plan, so the 1967 Legislature passed a law requiring any district not offering high school to merge with a district that offered grades 1 through 12. By 1971, the number of districts was reduced by 800.

However, small districts were still a concern. According to a report from the Department of Children, Families and Learning, academic pairing legislation passed in 1978 addressed the need for smaller school districts to share staff, programs, and students.

Consolidation slowed in the 1980s, but a 1989 law required permanent reorganization from those involved in an academic pairing agreement. Five years later legislation was passed so districts that consolidated received state aid for their efforts.

The number of districts shrunk from 433 in 1989 to 340 in 2002.

Bob Buresh, a member of the department's district support services team, wrote a report in July 2000 on the history and trends of school districts.

"Through reorganization," he wrote, "school districts strive to improve their ability to develop and implement quality programs for students, upgrade the quality of

school facilities, offset student enrollment declines, and provide a more cost efficient and stable school district."

Under state law, districts may combine with the approval of the state's education commissioner, now the commissioner of children, families and learning, and the approval of voters in the local communities affected by the combination.

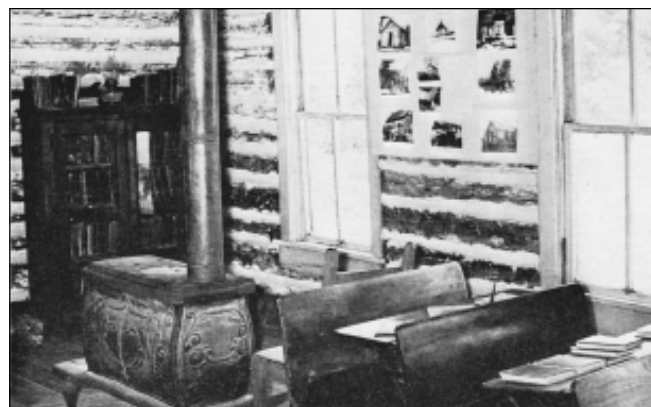
"The commissioner shall disapprove the proposed combination if it is educationally unsound, will not reasonably enable the combined district to fulfill statutory and rule requirements, or if the plan and modifications are incomplete," law states.

If the commissioner disapproves of the plan, revisions are allowed prior to local referendum.

Local school boards may place the same referendum question before voters twice before it must be modified. If a third referendum fails, it could affect levying powers and would require revision again.

In his report, Buresh indicated that districts may consolidate further in coming years. He cited enrollment trends, health of the economic sectors such as agriculture, and trends in school finance as some factors that might affect district organization.

"School district reorganization activity has been at a low level in recent years but could significantly increase within a few years."



The interior of a pioneer log schoolhouse, built about 1865.

An interactive map of Minnesota school districts can be found on the Legislative Web site at: <http://www.commissions.leg.state.mn.us/gis/html/maps/interactive.html>

Photos courtesy of the Minnesota Historical Society

Take two

Kubly will make another run for the Senate, this time in an open seat, after serving in the House for six years

By LISA HILTON

Thinking it would be nice to only have to run for re-election every four years rather than every two, and facing an open Senate seat in a newly redrawn legislative district, Rep. Gary Kubly (DFL-Granite Falls) says this is a good time to try to switch chambers.

An ordained Lutheran minister, Kubly has represented the people of District 15B since 1996. Although he was active in DFL precinct caucuses before that time and was narrowly defeated by Sen. Dean Johnson (DFL-Willmar) for a Senate seat in 1992, Kubly said he hadn't considered running for a House seat until his predecessor called and asked him to consider the opportunity.

The problem was that former Rep. Roger Cooper (DFL-Bird Island) called him in 1996 on Tuesday of the Holy Week preceding Easter, a time when the minister had quite enough to do already.

"I told him it wasn't a really good time for me," he said.

After receiving numerous other calls from people in the district, he announced his candidacy a few weeks later.

"I didn't know that many people knew I was a Democrat," he said.

The empty Senate seat in newly created District 20 will include 55 percent of his former constituents, so Kubly isn't sure how tough the race will be. So far, three Republicans have announced their intention to run for the seat.

Growing up on an Iowa farm near the Minnesota border just south of Albert Lea, Kubly brought his rural roots with him to the Legislature, and he has been a strong advocate of rural issues while in the House. He has served on the various House agriculture committees in each of his three terms.

That focus won't change if he is successful in moving to the Senate, Kubly says.

"I'll keep rural issues on the forefront," he said.

Kubly said the state needs to keep a rural voice in the Legislature, especially after redistricting tilted the balance of representation even further toward the Twin Cities metropolitan area. "Rural areas have lost a little

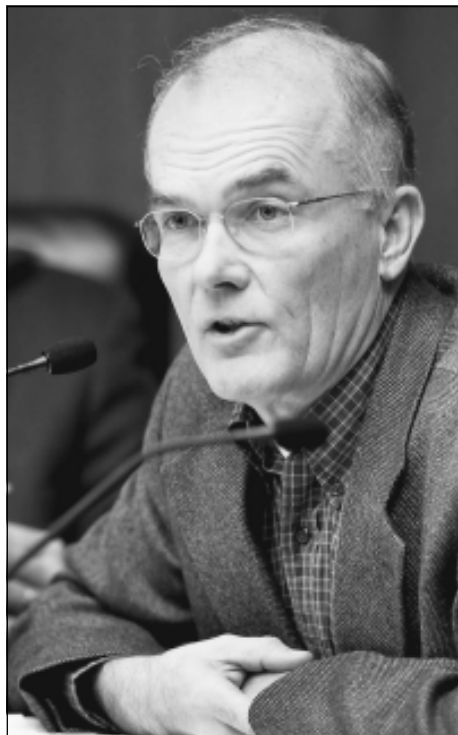


PHOTO BY TOM OLMSCHIED

Rep. Gary Kubly is leaving the House after this term to pursue a seat in the Minnesota Senate.

ground," he said.

Part of his work for small Minnesota communities involved advocating for state assistance during natural disasters, such as the tornado that leveled part of St. Peter on March 29, 1998 and the July 25, 2000 twister in Yellow Medicine and Chippewa counties.

He said assistance to fill the gap between what private insurance companies will cover and what is left needs to be covered by the state.

The state also needs to address wastewater problems in rural Minnesota, Kubly said.

Wastewater treatment programs haven't been adequately funded, resulting in many communities being forced to pump sewage into ditches every time it rains, he said.

Although it isn't the most interesting topic, the problem has created a huge public health hazard and needs to be taken care of, he said.

Along with his rural roots, Kubly's role as a

minister affects his service as a legislator. For him, the two jobs are related.

"Politics is your faith in action, at least that's how I see it," he said.

Rep. Al Juhnke (DFL-Willmar) was elected at the same time as Kubly and has shared an apartment with him during the session for six years.

"Being a Lutheran minister, he brings a unique view of the process to the Legislature," Juhnke said. "I always think of him as the calm of the storm. Nothing gets him too excited," he said. But on the occasions when Kubly does get fired up, "then you better listen to him because he's probably right."


Rep. Tim Finseth (R-Angus) agreed.

"He's the kind of person I like to work with," said Finseth, chair of the House Agriculture Policy Committee. "He didn't speak on every issue, but when he did, he had something important to say."

Serving in the Legislature doesn't take Kubly far from his family, since his three adult children live in the Twin Cities metropolitan area, and his wife, Patricia, has also been in town helping care for their 3-month-old granddaughter.

Kubly said he expects the Senate to be similar to the House but noted that the Senate is somewhat less contentious, and seems to get its work done faster.

"Maybe that's because there are half as many people and half as many opinions," he said.

Kubly's advice to his replacement is short and simple: "Listen to the people," he said. Representatives have to make decisions that affect the entire state, he said, but "first and foremost you are called to be their representative." 

STEPPING DOWN

Rep. Gary Kubly

DFL

District 15B — Granite Falls

Terms: 3

Career notes: Having served on several committees, including those governing agriculture and rural development, Kubly has worked to equalize the differences between urban and rural areas. He advocated for state assistance to St. Peter in 1998 and Yellow Medicine and Chippewa counties in 2000 after those areas suffered damage from tornadoes. He also helped secure disaster aid after flooding in Granite Falls.

Cultivating support

Peterson will leave House for different role in the state's agricultural sector as head of farmers union

By SARAH MCKENZIE

Rep. Doug Peterson, an architect of the state's ethanol program, has been elected president of the Minnesota Farmers Union and will serve the remainder of his House term but not seek re-election.

The six-term DFLer from Madison in west-central Minnesota said in his new position he will work with state and federal lawmakers from both parties to bolster the state's agriculture community. The union represents more than 15,000 state farmers.

Outlining his priorities for the farmers union, Peterson said he will push for profitable commodity prices, agriculture-based energy production, mobilizing support among urban Minnesotans with rural roots, and building partnerships with other advocacy groups.

"The people of rural Minnesota — whether farmers, business owners, retirees, working parents or whatever their position in life — have common interests in getting a fair shake in the changing economy," said Peterson, who owns a 300-acre farm in Lac Qui Parle County.

Peterson's agenda builds on his accomplishments at the State Capitol. He points to his work on the Minnesota Model on Ethanol as prescient policy that steered the state toward energy independence before it became a more pressing, national security issue in the aftermath of Sept. 11.

"It was fairly visionary," said Peterson, 53, DFL lead on the House Agriculture and Rural Development Finance Committee. "The Minnesota model has become a model for the nation."

Beginning in 1997 the state required that all gasoline sold in the state contain a minimum 2.7 percent oxygen content — which includes the corn-based additive ethanol. Supporters have heralded it as a clean-burning alternative fuel that reduces carbon dioxide emissions. Opponents have challenged ethanol's environmental benefits and labeled it a costly agriculture subsidy.

The state has also established a 20-cent per gallon producer payment to encourage ethanol production.

Rep. Bob Ness (R-Dassel), chair of the



PHOTO BY TOM OLMSCHEID

Rep. Doug Peterson, who was recently elected president of the Minnesota Farmers Union, will leave the House after this term.

agriculture finance committee, said Peterson "has worked hard for agriculture" and has been a strong advocate of ethanol while in the House.

"He is not afraid to speak up when he believes in something," Ness said. "Doug has been a valued member of my committee and we have worked well together."

Rep. Ruth Johnson (DFL-St. Peter), also a member of the agriculture policy and finance committees, said Peterson has served as a mentor to her on agriculture issues.

"Whenever I wanted to know how a piece of legislation would affect farmers, I would discuss it with Doug," Johnson said. "From his own experience on the farm, he is a passionate proponent of sustainable, family farm-based agriculture."

Peterson has also been a strong supporter of the biodiesel legislation that became law this year. It will require that all diesel fuel sold in the state

contain at least 2 percent of the additive, derived from soybeans or other plant oils, by 2005.

The state lawmaker is also known for founding the Minnesota Right to Be Rural Coalition in 1996 along with state and federal DFLers, including U.S. Sen. Paul Wellstone, former state Sen. Tracy Beckman (DFL-Bricelyn) and former U.S. Rep. David Minge.

The coalition promotes, among other things, equal access to public services, home-grown economic development, affordable higher education, fairness in taxation, and balanced environmental policies.

The group worked to establish the Center for Rural Policy and Development in 1997, a think tank based at Minnesota State University, Mankato.

Jack Geller, the center president, said few legislators speak about Greater Minnesota with "both the passion and the eloquence that Rep. Peterson can."

"While he would be the first to tell you that he doesn't have all the answers to what ails rural Minnesota, he is persistent in convincing you that rural Minnesota counts," Geller said. "That we all (i.e. urban, suburban, and rural) should care about what happens to our rural communities, family farms, and our rural way of life."

Peterson said he'll miss the camaraderie of the Legislature and the gratification of solving a constituent problem.

He recalled helping a man secure benefits who had trouble navigating the state's bureaucracy. Peterson said the man stopped him years later and said, "Because of you I have a decent life."

Jim Curtiss, the mayor of Montevideo in Peterson's district, said the representative "bends over backwards" to help people.

Peterson stops at least once a month at Curtiss' restaurant, Trailways Cafe, to talk to members of the community.

"He's very open and easy to talk to," Curtiss said. "There isn't enough I can say about how good he's been." 🐾

STEPPING DOWN

Rep. Doug Peterson

DFL

District 13B — Madison

Terms: 6

Career Notes: Peterson supported legislation that established the state's ethanol development program, and he has promoted the biodiesel industry. He also worked on bills in 1998 that strengthened the state's oversight of feedlots.

Slowing down?

Use of tax increment financing as a development tool may be decreasing in light of revenue changes and other options

By DAVID MAEDA

Were it not for the topic of tax increment financing (TIF), redevelopment and economic development discussions in city halls and legislative committee rooms might take on a different flavor.

The use of the local development tool receives attention from the public and elected officials but concerns of misuse and some law changes have led to a recent decline in its use.

Tax increment financing allows local units of government to finance projects by applying the assumed additional property taxes generated to finance up front costs.

Before a district can be created, the municipality must determine, through a formal finding that the development would not occur "but for" the use of TIF.

The concept behind TIF is this: a city wishes to develop or redevelop an area by encouraging a developer to construct a new building. A TIF district is created encompassing the area that will house the new building along with a couple of other buildings in need of repair. The county auditor then determines the current tax capacity of the properties and the property tax rates being levied at the time by all local governments, including the city, county, and school district.

The original tax rate is then applied to the difference between the existing property values and the new values that will occur from the development. Known as the tax increment, this amount can then be applied to such things as redevelopment of existing buildings, new building construction costs, and infrastructure improvements.

Although most often used by cities, TIF can also be used by counties or municipally created entities such as a port authority, economic development authority, or housing and redevelopment authority.

A 1986 legislative auditor report on TIF use cited a few criticisms. The report said that although the "but for" determination is required, it is a subjective standard that is difficult to challenge in court.

The report also said the "but for" determination does not require any showing that the benefits of the development justify its costs.

The Legislature created most of the state's TIF laws in 1979, although the mechanism was occasionally being used before then. The reduction of federal redevelopment grants in the mid-1980s led to a substantial increase in its use.

Six district types are permitted by law: economic development, redevelopment, renewal and renovation, cleanup of polluted soil conditions, cleanup sites with hazardous substances, and pre-1979 districts.

The most popular use of TIF is redevelopment. To qualify as a redevelopment district, 70 percent of the area must be occupied by buildings, of which 50 percent are substandard. A similar district known as a renewal and renovation district requires 70 percent of area be occupied by buildings of which 20 percent are substandard and 30 percent require some renovation.

Economic development districts are allowed to exist for eight years, while housing and redevelopment districts have a 25-year limit. The law requires development activity for a TIF district be completed within a five-year period. After that time increments can only be used to pay off obligations.

Minnesota permits the pooling of districts within a jurisdiction, meaning a project area within a municipality may include several different TIF districts. Revenues from one district may be applied to activities in another within the project area.

In redevelopment districts 25 percent of increments may be spent on activities outside the district. For other district types the maximum increment amount for outside uses is 20 percent.

Information provided to the state auditor shows that as of Dec. 31, 2000 there were 442 TIF authorities that had 2,136 districts in the state. The top three categories breakdown as follows: 923 for redevelopment, 695 for economic development, and 367 for housing.

The number of districts created continued to decline in the past few years from a high of 181 in 1997 to 126 in 2000. By comparison there were 48 in 1991.

The reduction in property tax rates and resulting revenue reduction during the past few years, particularly in commercial/industrial property rates, which makes up the largest percentage of property in TIF districts, likely has caused some of the declining use of TIF.

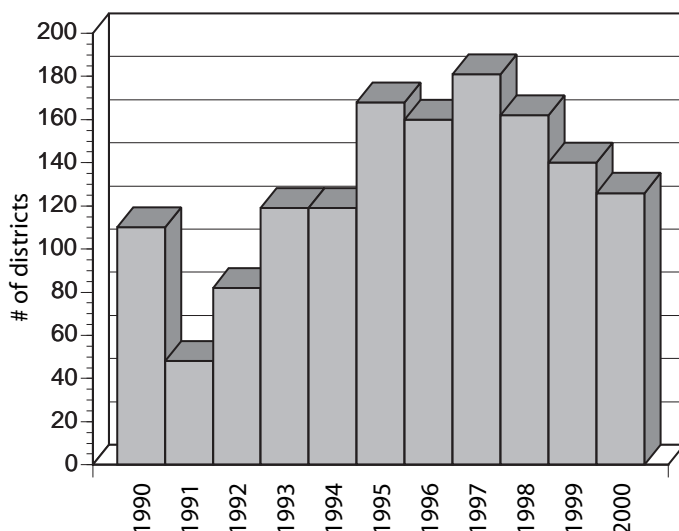
Last year's property tax changes also eliminated the state imposed general education tax levy. Previously TIF districts included school tax revenues that were made up to school districts by the state in increased aid. Thus the elimination of the local education tax levy also has meant a reduction in TIF revenues.

In 1997 the Legislature created a new development tool similar to TIF known as abatement. It allows a local unit of government to waive or defer property taxes on parcels that meet specific requirements such as increasing or preserving the tax base, providing employment opportunities, or redeveloping or renewing blighted areas.

The major difference between abatement and TIF is that the municipality, school district, and county must all approve and pay their share of the abatement.

Because no reporting is required on the use of abatement, it is unclear how many municipalities are using that tool instead of TIF.

Tax increment financing districts created in the 1990s



Report required

Mandatory reports provide information for House, Senate members on wide range of issues

By **BRENDA VAN DYCK**

Legislative activities, such as debating issues and passing bills, are well known. What may not be as visible is the quantity of information the Legislature annually seeks in the form of mandated reports.

The Legislature mandated more than 230 reports in 2001, a mixture of one-time studies and ongoing requirements. Issues studied range from the very mundane, such as the allocation of spaces in the State Office Building parking ramp, to the very complex, like identifying various funding sources for airport noise mitigation.

of legislation. For example, a study mandated by the 1994 Legislature on the state's corporate farm law became the basis for a subsequent overhaul and recodification of the law.

Reports can also provide the basis for programs or operating procedures. For example, in the mid-1970s the state's sentencing practices were criticized as indeterminate, but the Legislature couldn't agree on how to specifically reform the system. After three sessions of debate, the 1977 Legislature created the Sentencing Guidelines Commission and mandated that it develop guidelines for uniform sentencing standards and report them to the Legislature.

- a process for collecting information on sentences imposed,
- criteria on how to assess the fiscal impact of the law, and
- a recommended a time frame for the evaluation.

In the case of the DWI study, the Legislature appropriated \$20,000, but money is not always appropriated for a report.


Furthermore, specific costs are not always identified. Fiscal notes, prepared for bills by the Department of Finance, show that during recent years a wide range of costs are associated with one-time and ongoing studies.

Some departments report no economic impact, while others identify several hundred thousand dollars for such items as large human services or transportation programs to nearly \$2 million for a comprehensive study of health care costs.

As the official government document repository, the Legislative Reference Library keeps track of reports and catalogues final reports into its collection.

Each year library staff read session laws to identify new mandates and repeals and extensions of existing requirements. That information is then put in a database to track the reports.

When a report is due, a letter is sent reminding the responsible agency to submit the report.

Since its inception in 1969, the library has been collecting mandated reports, and there is continued interest in older reports because issues tend to recur over the years, said Robbie LaFleur, library director. That's why, she notes, the reports are such an important part of the library collection. 

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

Selected reports mandated by the 2001 Legislature

Topic	Agency
Recidivism rates of drunken driving offenders subject to electronic monitoring	Corrections Department
Comparative analysis of human rights department caseloads in other states	Human Rights Department
Progress on interstate tuition negotiations	Higher Education Services Office
Per pupil transportation costs	Children, Families and Learning Department
Performance of teacher candidates on common core assessments of knowledge and skill	Board of Teaching
Firefighting costs	Natural Resources Department
Impact of state's suicide prevention plan	Health Department
Topics related to dispensing medications in schools	Health Department
List of all design-build contracts	Transportation Department

For more information:
The Legislative Reference Library's Web page venus.library.leg.state.mn.us/lrl/mndocs/mandates.asp
House Research Department publication on mandated reports www.house.mn/hrd/hrd.htm

The reasons vary as to why a report might be requested. Many times it is to follow up on issues to see what an agency or group did. Other times the Legislature simply wants more information before approving a significant policy. Sometimes ideas arise that don't have enough immediate support to become law, and a study is one way to keep the idea alive. Another reason might be to bring opposing groups together to work on an issue or reach a compromise.

And the costs associated with these reports are difficult to quantify. Often they must be absorbed in an agency's budget. No one specifically tracks all of the costs.

Many times reports will evolve into pieces

The commission began annual reports of its guidelines to the House and Senate in 1980.

More recently, the 2001 Legislature charged the University of Minnesota's Institute on Criminal Justice to develop a research plan for evaluating the implementation and impact of the felony drunken driving law, which was enacted August 2001.

Under the law, a fourth drunken driving incident within 10 years can be charged as a felony. Specifically, the Legislature directed that the research plan identify the following:

- the number of cases on which data would need to be collected,
- a method that would ensure adequate sampling across the state,

Where to find information

House Public Information Office

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

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

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

Call, visit, watch, log on . . .

Legislative information is plentiful, accessible, and free

Keeping track of what's happening at the Minnesota Legislature has never been easier. The latest technology is being used in all areas of communication.

And while the traditional methods such as visiting the Capitol and calling on the telephone are still useful and easy ways to get the information you need, the newest technological methods on television and the Internet have made your choices better than ever.

A new, improved Web site

Since the Legislature's World Wide Web site went online in 1996, more than 100 million hits have been received. During the 2000 session alone, the site was receiving more than one million hits on the busiest days.

During that time, users commented on the positives and negatives of the site. In response to those remarks, an interim committee of legislative staff looked at ways to enhance the online information — making it even more useful. As a result, the Web site was redesigned and an award-winning new format was launched during the fall of 2000.

Accessing information using your fingertips and a mouse begins by directing your browser to <http://www.leg.mn>, the Legislature's main page.

The site layout has been updated to make it visually simple but also easy to navigate. More advanced users can use drop-down menus to get to the information, while traditional hyperlink text is also available.

A mere click of a mouse button takes a user to both the House and Senate main pages. Easy access is also provided to other areas, including: member information, committee information and schedules, Minnesota Statutes, Session Laws and Rules; joint legislative departments and commissions; youth pages; general information; legislative district information; and employment opportunities.

One of the more popular options is the bill tracker. From the House and Senate pages, users can read any bill and track its status through the legislative process. For those not familiar with the legal language used to draft bills, easy-to-understand summaries are also available. Bills can be searched by number, keyword, or author.



Through the Legislature's Web site, the public can access information including bill descriptions and status, committee meeting schedules and agendas, and weekly publications of both the House and Senate.

The site is also interactive — links are provided so a user can easily contact a legislator by e-mail.

Both the House and the Senate sites also offer Internet streaming video of floor sessions and selected committee hearings. The service features unedited, live and recorded coverage of the Legislature. To watch events unfold, get the free Windows Media Player plug-in viewer. Information is available on the House

Television Services Web site at <http://www.house.mn/hvtv/htvserve.htm>. Archived footage of House committee meetings and floor sessions is also available.

You've got mail

House committee schedules are available on the Web site at <http://www.house.mn/hinfo/schedule/index.htm>. Senate schedules are online at <http://www.senate.mn/schedule>.

Constituents with e-mail service can now receive committee schedules from both the House and Senate without having to request them each day.

The schedules, updated daily, give specific information about which committees are meeting on a particular day, the time and location of the meeting and general topic agendas for the meeting.

To receive the House committee schedule, fill out the subscription form at <http://www3.house.mn/scripts/lyris.pl?join=houseschedule>.

To receive the Senate schedule, fill out the form at <http://www.senate.mn/schedule/listserv.htm>.

Come on down

Technology is a wonderful asset for governmental information, but the best way to find out



E-mail is an increasingly common and efficient way for constituents to contact their legislators. Lawmakers regularly respond to signed messages, and they prefer that correspondents include their full names and addresses.

what's happening at the Capitol is to witness it in person. A good place to begin your visit is at the House Public Information Office, located on the first floor of the State Office Building directly west of the Capitol, in Room 175.

The office has a series of informational and educational publications designed to make the legislative process understandable and accessible for all.

Office staff can quickly determine in which House and Senate district you live and provide you with the name, office number, phone number, and e-mail address of your representative and senator.

Committee schedules are available at the office, as are issues of the newsmagazine *Session Weekly*, a free publication covering weekly House activities during session. To have this thorough weekly wrap-up mailed directly to your home or business, call or stop by House Information, or complete the subscription form on the House Web site at <http://ww3.house.mn/info/subscribesw.asp>. Likewise, *Senate Briefly*, which covers weekly Senate activities, is available by stopping at Senate Information in Room 231 of the Capitol or by submitting the online form at <http://www.senate.mn/pubform.htm>.

Pick up the phone

A wealth of information is also available via the telephone. The House Public Information Office can answer general questions regarding the legislative process and who your legislators are. They can also connect you to other offices for additional information. Call the information office at (651) 296-2146 or toll free at 1-800-657-3550.

You don't need to leave home to obtain copies of House bills, either. Simply call the House Chief Clerk's Office at (651) 296-2314 and they'll



A committee hearing room in the State Office Building features interactive television technology through which lawmakers can communicate with people at more than 80 sites around Minnesota.

mail you a copy of any bill. If you don't know who sponsored a bill or what a particular bill's House File number is, call House Index at (651) 296-6646. They can also tell you the status of a bill as it is traveling through the process.

If you have a concern about a pending bill or a policy issue, call your legislator.

You may also access a voice version of the House committee schedule by calling (651) 296-9283.

For similar information in the Senate, call (651) 296-0504 or toll free at 1-888-234-1112.

Tune in

Television coverage of the Legislature is available in the Twin Cities metropolitan area on KTCI-TV, Channel 17. Coverage also is included throughout Greater Minnesota on more than 30 cable providers' services. Check with your local cable system for availability. All broadcasts are closed-captioned and schedules are available from House Television Services. Call (651) 297-1338 or visit the House and Senate Broadcast Television Schedule page at <http://www.house.mn/htv/htv.htm>.

Live coverage of floor sessions and committee hearings is provided throughout the day, and taped coverage is played between live proceedings.



House Television Services provides coverage of action on the House floor and selected committee hearings on Channel 17 in the Twin Cities metropolitan area and local cable systems throughout the state.

Frequently used Web links

Legislature's main page:
<http://www.leg.mn>

Session Weekly on the Web:
<http://www.house.mn/hinfo/hinfo.htm>

Maps and legislative district finders:
<http://www.leg.mn/leg/districtfinder.htm>

To search the Legislative Web site:
<http://search.state.mn.us/leg/>

North Star government information:
<http://www.state.mn.us/mainmenu.html>

Governor's office:
<http://www.governor.state.mn.us>

Legislative Reference Library:
<http://www.leg.mn/lrl/lrl.htm>

Revisor's Office:
<http://www.revisor.leg.state.mn.us/revisor.html>

Legislative Links to the World:
<http://www.leg.mn/lrl/links/links.htm>

Frequently called numbers

House Information:
651-296-2146 voice; 651-296-9896 TTY
1-800-657-3550 toll free voice and TTY

Senate Information:
651-296-0504 voice; 651-296-0250 TTY
1-888-234-1112 toll free voice
1-888-234-1216 toll free TTY

Chief Clerk's Office:
651-296-2314

Office of Secretary of the Senate:
651-296-2344

Tracking new laws, vetoes

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

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

In the second year of the biennium (even-numbered years), a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the secretary of state, but his signature is not required.

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die" (Latin for adjournment "without a date certain"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the

session, or within three days after the governor receives the bill at any other time.

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Policy" link, then click on 2002 Bill Tracking.

Key:

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

CH	HF	SF	Description	Signed	Vetoed
266	3373	3045*	Fourth Judicial District domestic fatality review team pilot project extension.	3/25	
267	3362	3109*	Municipal police departments black patrol vehicles.	3/25	
268	2662	2611*	Interstate compact for adult offender supervision.	3/25	
269	1934	1030*	National crime prevention and privacy compact.	3/25	
270	94	222*	Game and fish laws gross overlimit violations penalties.	3/25	
271	2873	2578*	County human services and public health clients support programs.	3/25	
272	2993	2463*	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	3/25	
273	3263	3167*	Sex offenders civil commitment determinations data access authority.	3/25	
274	1413	1226*	No-fault automobile insurance full medical expense benefits entitlement.	3/25	
275	3276	3100*	Medical assistance reimbursement for tribal health services.	3/25	
276	3291	3124*	Nursing and board care homes resident reimbursement classifications provisions modification.	3/25	
277	3245	3126*	Health care and human services programs provisions technical modifications.	3/25	
278	3061	3117*	Metropolitan Council interceptor facilities continued use determination.	3/25	
279	2600	2419*	Child care programs wading pools public swimming pools regulations exemption.	3/25	
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27◆
281	2678	2768*	Medical assistance demonstration project provisions modified.	3/26	
282	3579	3073*	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	3/26	
283	2570*	2553	Automobile insurance damaged window glass claims payment basis modified.		3/26◆
285	2882*	3122	Electric personal assistive mobility device and roadway and sidewalk regulations.	3/26	
286	3078	2821*	Real estate brokers and salespersons regulatory provisions modifications.	3/26	
287	2664	2459*	Supplemental nursing services agencies registration criteria expansion.	3/26	
288	1885	2115*	Motor vehicle dealers surety bond requirements clarification.	3/26	
289	3091	2764*	Mentally retarded persons incidents and emergencies reporting standards modification.	3/26	
290	2932	2614*	Foster care placement communicable diseases disclosure requirement.	3/26	
291	3080	3055*	Metropolitan transit police provisions modifications.	3/26	
292	2757	2692*	Human services licensure.	3/26	
293	2889	2933*	Individual sewage treatment systems installation.	3/26	

◆ - veto overridden by the Legislature

† - Filed without signature

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

CH	HF	SF	Description	Signed	Vetoed
294	2635	2550*	Special education services costs reimbursement.	3/26	
295	3222	2953*	Fire insurance excess coverage prohibitions.	3/26	
296	2933	2546*	Rockville and Pleasant Lake consolidation plan joint development required.	3/26	
297	2884*	2715	Motor vehicle excessive gross weight civil fine imposition modified.	3/26	
298	3196*	2966	State procurement law ethical provisions clarified.	3/26	
299	3205	2890*	Public works contracts regulated.	3/27	
300	3223	2793*	Out-of-state facilities for children with severe emotional disturbance certification plan required.	3/27	
301	2842	3244*	Evidentiary laboratory blood sample reports electronic signatures.	3/27	
302	3224	3034*	Hennepin County Medical Center cooperative purchasing authority.	3/27	
303	3240	2814*	Electronic voting authorized for cooperatives.	3/27	
304	2596	2673*	Child custody provided for by de facto custodians and third parties.	3/27	
305	3328	3278*	Driver's education organ and tissue donation instructions.	3/27	
306	3079	2697*	Real estate transactions disclosure requirements.	4/1	
307	3492	3315*	Insurance provisions modification; medical malpractice insurance joint underwriting assoc. issuance prohibition.	4/1	
308	3221	3145*	Military justice code revisions.	4/1	
309	3506	3084*	State and local government units auditing and reporting requirements modifications.		4/1
310	1224*	887	Medical response unit registration provided.	4/1	
311	2785	2542*	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	4/1	
312	3519	2675*	State agencies required to use cleaner fuels.	4/4	
313	2647	2569*	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	4/4	
314	2840	2580*	Criminal prosecution estoppel provisions modified.	4/4	
315	3169	2881*	Housing; municipal low-income housing authority specified.	4/5	
316	3076	2612*	Funeral procession escort private vehicle authorized to use flashing red lights.	4/5	
317	3029	2680*	Energy building code requirements changed in certain instances.	4/5	
318	3058	2739*	Cities additional liquor licenses; hotel rooms liquor cabinets hours of sale restrictions exemption.	4/5	
319	2706*	3076	Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided.	4/5	
320	3030	3322*	Metropolitan Council existing service capacity external use provided.	4/8	
321	3034	2949*	Background check public criminal history data expanded.	4/8	
322	2841	2533*	Criminal offenders county correctional services costs payment.	4/8	
323	2684	2678*	Natural resources department provisions modifications.	4/8	
324	3432	3352*	Dry cleaner environmental response and reimbursement.	4/8	
325	3209	3054*	Petrofund consultant and contractor registration period modifications.	4/8	
326	3464	3174*	Money Transmitter Act small business category created.	4/8	
327	1763	1811*	Public drainage systems jurisdiction transfer.	4/8	
328	1683	2150*	Technology circuits or systems contractors and power limited technicians.	4/8	
329	3125*	2987	Telecommunications access for communication-impaired persons program renamed.	4/8	
330	2988*	3023	Insurance licenses, fees, and coverages regulated; health care administration simplified.	4/8	
331	3497	3015*	Commerce Department insurance fraud prevention; crime of employment of runners.	4/10	
332	2719*	2827	Uniform Athlete Agents Act providing student athlete agent registration adopted.	4/10	
333	1517*	1443	Swimming pool requirements established for family day care homes.	4/12	
334	2835	3028*	National and community service commission nonprofit corporation creation.	4/12	
335	2735	2457*	Civil commitment standards modifications; mental health system report.	4/16	
336	2763	2592*	Mutual insurance holding companies reorganization to stock companies.	4/16	
337	3537	3288*	Firefighters interest arbitration decision provision expiration date extension under PELRA.	4/16	
338	3455	3380*	Postnuptial contracts provisions modifications.	4/16	
339	2751	2650*	Credit unions regulation provisions modifications.	4/16	
340	3445	3238*	Nonprofit neighborhood organization members directors election, voting right notice option.	4/16	
341	3193	2957*	Dentist practice violations reporting requirements.	4/17	
342	3257	2988*	Financial institutions detached facilities, charges and fees, and mortgage prepayment penalties regulated.	4/17	
343	2687	3075*	Motor vehicle sales tax payment for sales in violation of dealer licensing requirements.	4/17	
344	3393	3114*	Child support obligors limited driver's licenses and payment agreements.	4/17	
345	1524	1555*	Fertilizer use regulated.	4/19	
346	2935	2909*	Health maintenance organizations rural demonstration project authorized.	4/19	
347	2657	2540*	Probate property succession provisions modified.	4/19	
348	3048	2460*	Criminal penalties for persons who take responsibility for criminal acts provided.	4/24	
349	2473*	2807	Darlene Luther Anatomical Gift Act specifying intent and consent requirements.	4/24	

COMMITTEE SCHEDULE

APRIL 29 - MAY 3, 2002

MONDAY, April 29

3 p.m.

THE HOUSE MEETS IN SESSION.

TUESDAY, April 30

12:30 p.m.

**ENVIRONMENT &
NATURAL RESOURCES POLICY/
ENVIRONMENT &
NATURAL RESOURCES FINANCE**

10 State Office Building

Chrs. Rep. Dennis Ozment, Rep. Mark Holsten

Agenda: Mille Lacs Lake fisheries management.

FRIDAY, May 3

1 p.m.

Regent Candidate Advisory Council

400S State Office Building

Agenda: Committee reports and/or recommendations for action - Interview Process and Questions: Paul Dovre; Orientation: Bob Vanasek and Chris Georgacas; Recruitment/Public Relations: Humphrey Doermann; Document Review: Carol Batsell Benner; References: Dave Naumann and Elizabeth Morrison; Nominations (to be appointed fall 2002).

Discuss actions without formal meetings issue.

Discuss public balloting issue.

Discuss proposed Legislative Joint Rules changes.

Discuss legislative initiatives (SF2488/HF2955)

requiring appointment of regents made by governor with advice and consent of the Senate.

Discuss length of council recommendations issue.

Review legislative action of regent election.

Discuss program for Sept. 13 meeting.

Review RCAC meeting schedule and activity timelines.

Request volunteers to attend upcoming board meetings.

BILL INTRODUCTION

APRIL 22, 2002

HOUSE FILE 3717

Monday, April 22

HF3717—Mahoney (DFL)

**Governmental Operations &
Veterans Affairs Policy**

South St. Paul; state and political subdivisions prohibited from purchasing goods from Dakota Premium Foods until good faith effort to negotiate a collective bargaining agreement has taken place.



Who's in charge?

Florida law changes oversight of post-secondary institutions

For the first time since 1965, Florida no longer has a statewide Board of Regents to oversee its colleges and universities. Instead it now has a system like no other in the country.

During its 2001 session, the state legislature overhauled the state's higher education system by creating a seven-member Board of Education to oversee all schooling from kindergarten through graduate school.

Among its duties, the "superboard" is to prepare a coordinated budget for all schools (elementary, secondary, community colleges and state universities), recommend to the legislature the missions of public universities and community colleges, approve plans to create or eliminate doctorate or professional

school programs, and develop accountability measures at all educational levels.

The law also creates 11-member boards of trustees at each of the state's 10 public universities. These boards will be responsible for the hiring/firing of a president, faculty contract negotiations, the submission of a budget to the state Board of Education, setting tuition rates, and creation or elimination of programs. Local boards at the state's 28 community colleges will stay intact.

Supporters say the law allows all educational sectors to work together better and universities will now have stronger advocates. Some said the previous Board of Regents overlooked the needs of individual universities.

Opponents fear the individual boards will attempt to outdo each other by building expensive new facilities, creating new programs, and adding athletic teams.

They also said they're concerned that the boards will become more political as the governor appoints members of both the "superboard" and the individual boards of trustees — 117 in all.

However, Gov. Jeb Bush said politics would play no role in his appointees. "In terms of significance and importance, I would put this at or above appointment to the judiciary," he said.

(M. Cook)

Minnesota Memorials



Highway workers memorial

Doing roadway construction or maintenance work can be a dangerous job. Since 1960, 28 Minnesota Department of Transportation employees have been killed while working on the state's highways and roads.

On April 28, 2000, the Transportation Worker Memorial was dedicated in their honor.

Located in the lobby of the department's headquarters at 395 John Ireland Boulevard, the memorial "symbolizes our ongoing commitment to work zone safety and serves as a memorial to the friends, co-workers and loved ones we have lost," Transportation Commissioner Elwyn Tinklenberg said at the dedication.

The American Federation of State, County, and Municipal Employees (AFSCME) Council 6 originally proposed the memorial in 1993 and the council passed resolutions supporting the memorial. But nothing official happened until Dave Smith, a MnDOT transportation specialist, revived the plan in 1997. The department gave its formal approval in the spring of 1998.

Trent Weber, a human resources employee for the department at the time, won a contest to design the memorial. His design was unveiled at Worker Memorial Day on April 29, 1999.

"It was important to have both the construction and maintenance sides of MnDOT's business represented equally," he said. "I chose a bridge motif because it represents how we help connect our state's vast boundaries — a bridge that leads us into the future but also connects us to our past. We must never forget those who lost their lives."

In the middle of the bridge, a centerpiece support is missing in remembrance of those killed in the line of duty.

A kiosk allows visitors to learn more about the memorial's history and lists the names of those who perished.

"(The memorial) stands as a constant reminder of work zone area danger, and our commitment to work zone safety," Tinklenberg said. "Our goal is to eliminate work zone injuries and fatalities."

(M. Cook)

Reflections

Minnesota is known for real-life accounts about "giants" who helped build the state through innovative uses of natural resources. Some of these include railroad giant James J. Hill, lumber baron Frederick Weyerhaeuser, and flour mill magnate Charles A. Pillsbury.

Other giants of note are from legend, such as lumberjack Paul Bunyan and his blue ox Babe, who left deep tracks across the countryside. As folklore tells it, those tracks filled with rainwater to form Minnesota's 10,000 (actually close to 16,000) lakes.

Another folk hero is Mesabi, the giant of the Iron Range, who went to sleep for generations beneath the hills. When he awoke his movement split the rocks where rich and lower grade ore and taconite concentrates were discovered.

In the late 1700s, explorers heard about the iron deposits, but they did not seriously pursue the find, for they were more interested at the time in expanding their fur trades.

One-half century later, interest in, and stories about, mineral lands of "magnificent extent" prevailed. One advocate in 1849 was Alexander Ramsey, the first territorial governor. In his message to the Legislature he asked for a road to be built to Lake Superior to access the mineral riches of north-east Minnesota. Here, he believed that copper and iron ores are "known to be of singular purity."

An assayer's 1865 soil sample report to the state geologist, Henry H. Eames, touched off Minnesota's own "gold rush" when he noticed traces of glitter in the sample. Ignoring the iron ore present in the sample, Eames set out for Lake Vermilion on a quest for gold.

When the news was leaked to a St. Paul newspaper, hundreds of people headed

north to make a quick fortune. Even the state's first governor, Henry Sibley, and its fourth, Stephen Miller, were taken in. Sibley became president of the Minnesota Gold Mining Company with Miller as its secretary.

Gold was never found, but ore mining grew rapidly in the Vermilion, Cuyuna, and Mesabi Ranges of northern Minnesota once its value was discovered.

Most people that worked on the Mesabi Iron Range did so for mining companies,

like those owned by Minnesota's Merritt Brothers. The brothers, known as the "Seven Iron Men," were early miners who had already started their fortunes in the lumber industry.

The lucrative ore industry on the range soon attracted other giants to Minnesota, such as oil tycoon

John D. Rockefeller; Henry W. Oliver, who worked with steel magnate Andrew Carnegie; and J.P. Morgan, a titan of the industrial world.

Lawmakers became more involved in regulating the enterprise as it grew into the major provider of ore to the steel industry. The Legislature kept some of the newly generated millions of dollars in the state by taxing the owners of the mines.

Until the financial importance of iron ore was realized, many Minnesotans tried to emulate the prospectors of the California Gold Rush of 1849 who followed the slogan, "Thar's gold in them thar hills." But some long-time residents and many of the new Minnesotans were not fooled. They learned early on that "All that glitters, is not gold," and created a lucrative livelihood for themselves through work on the range.

—LECLAIR GRIER LAMBERT

Photo courtesy of the Minnesota Historical Society



The Missabe Mountain iron mine near Virginia, Minn., in 1920.

SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: TIM PAWLENTY
MINORITY LEADER: THOMAS W. PUGH

MINNESOTA INDEX

Health and health care

State rank in terms of healthiest states, based on access, lifestyle, occupational safety and disability, disease, and mortality	1
In 2000	2
In 1990	1
Percentage of Minnesotans in 2001 without health insurance	8
In 2000	9.3
In 1990	8.7
National average	15.5
Residents participating in a Health Maintenance Organization (HMO) in 2001, as percent	28.2
Premiums collected by all of Minnesota's nonprofit HMOs and health plans in 2001, in billions	\$5.7
Billions paid out in medical expenses	\$5
Annual health care costs per enrollee	\$2,063
Average administrative costs, as percent of premium revenue	9
Hospitals in Minnesota	141
Physicians per 100,000 population in 2001	252
National rank	18
Percentage of pregnant women in 2001 receiving adequate prenatal care	75.9
In 1990	72.2
National average	76.4
State mortality rate in 2001, per 100,000 population	794.4
In 2000	809.4
In 1990	792.6
National average	881.2
Infant mortality rate in 2001, per 1,000 live births	5.9
Percent decrease from 1990	34
National percent drop during time period	30
Deaths related to heart disease in 2001 per 100,000 population	197.9
In 1990	260.6
National average	276.2
Cancer-related deaths in 2001 per 100,000 population	418.7
In 1990	395
National average	450.6
Deaths, per 100,000 population, related to infectious disease (including AIDS, tuberculosis, and hepatitis) in 2001	12
In 1990	13
National average	30.5

Sources: Minnesota Hospital and Healthcare Partnership; Minnesota Council of Health Plans; UnitedHealth Foundation State Health Rankings, October 2001; CQ's State Fact Finder 2002; National Center for Health Statistics.

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