

A NONPARTISAN PUBLICATION ★ ★ ★

SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

MAY 24, 2002
VOLUME 19, NUMBER 17



LEGISLATURE ADJOURNS

BONDING PROJECT VETOES, NEW LAWS

FINAL 2002 ISSUE-RENEWAL & SURVEY ATTACHED

HF3735-HF3741

Session Weekly

Session Weekly is a nonpartisan publication of the Minnesota House of Representatives Public Information Office. During the 2001-2002 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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

Director
LeClair G. Lambert

Editor/Assistant Director
Michelle Kibiger

Assistant Editor
Mike Cook

Art & Production Coordinator
Paul Battaglia

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

Chief Photographer
Tom Olmscheid

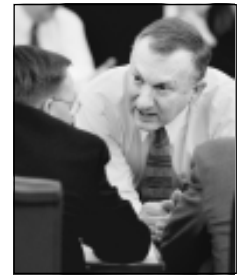
Photographers
Andrew Von Bank, Becky Ekstam

Office Manager
Nicole Wood

Staff Assistants
Christy Novak, Kelli Lin Foster

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

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



CONTENTS

HIGHLIGHTS

Education • 5

Environment • 5

Transportation • 6

NEW LAWS

Agriculture • 7
Arts • 7
Banking • 8
Budget • 8
Business • 9
Children • 10
Consumers • 11
Crime • 11
Education • 13
Elections • 14
Employment • 14

Energy • 14
Environment • 15
Family • 17
Gambling • 17
Game & Fish • 18
Government • 18
Greater Minnesota • 19
Health • 20
Higher Education • 22
Housing • 22
Human Services • 23

Industry • 24
Insurance • 25
Law • 27
Local Government • 27
Metro Affairs • 29
Military • 29
Recreation • 30
Retirement • 30
Safety • 31
Transportation • 32
Veterans • 33

VETOES

Budget • 34
Consumers • 34

Education • 35
Environment • 35

Government • 35
Insurance • 36

FEATURES

At Issue: Bonding — Gov. Jesse Ventura line-item vetoed nearly \$350 million in projects from the 2002 bonding law. • 37

At Issue: Budget — The Legislature overrode the governor's veto of the second budget-balancing bill before adjourning. The governor allowed the second piece of the budget plan, a tax policy bill, to become law without his signature. • 38, 39

At Issue: Recreation — The House, Senate, and governor all approved a funding plan for a baseball stadium for the Minnesota Twins. • 40

At Issue: Safety — The last item of business before the House adjourned was passing an anti-terrorism plan, which the governor signed into law. • 42

People — Rep. Peggy Leppik (R-Golden Valley), is leaving the House after six terms. • 43

People — Rep. Rod Skoe (DFL-Clearbrook) is leaving the House to pursue a seat in the Minnesota Senate. • 44

People — Rep. Wes Skoglund (DFL-Mpls) will run for Senate this fall, after 13 terms in the House. He was paired in the same district with Rep. Jean Wagenius (DFL-Mpls). • 45

DEPARTMENTS/RESOURCES

Bill Introductions (HF3735-HF3741)	31	Minnesota Index:	
Governor's Desk (CH219 – CH403)	48	2002 Legislative Session	54
Reflections: Saying goodbye	53	<i>Session Weekly</i> renewal/survey	55, 56

On the cover: The State Capitol is mirrored on the Minnesota Vietnam Veterans Memorial reflecting pond on the final night of the 2002 session, May 18.

—Photo by Tom Olmscheid

Bidding adieu

House members pack in votes on significant issues and say farewell in the final hours of the 2002 legislative session

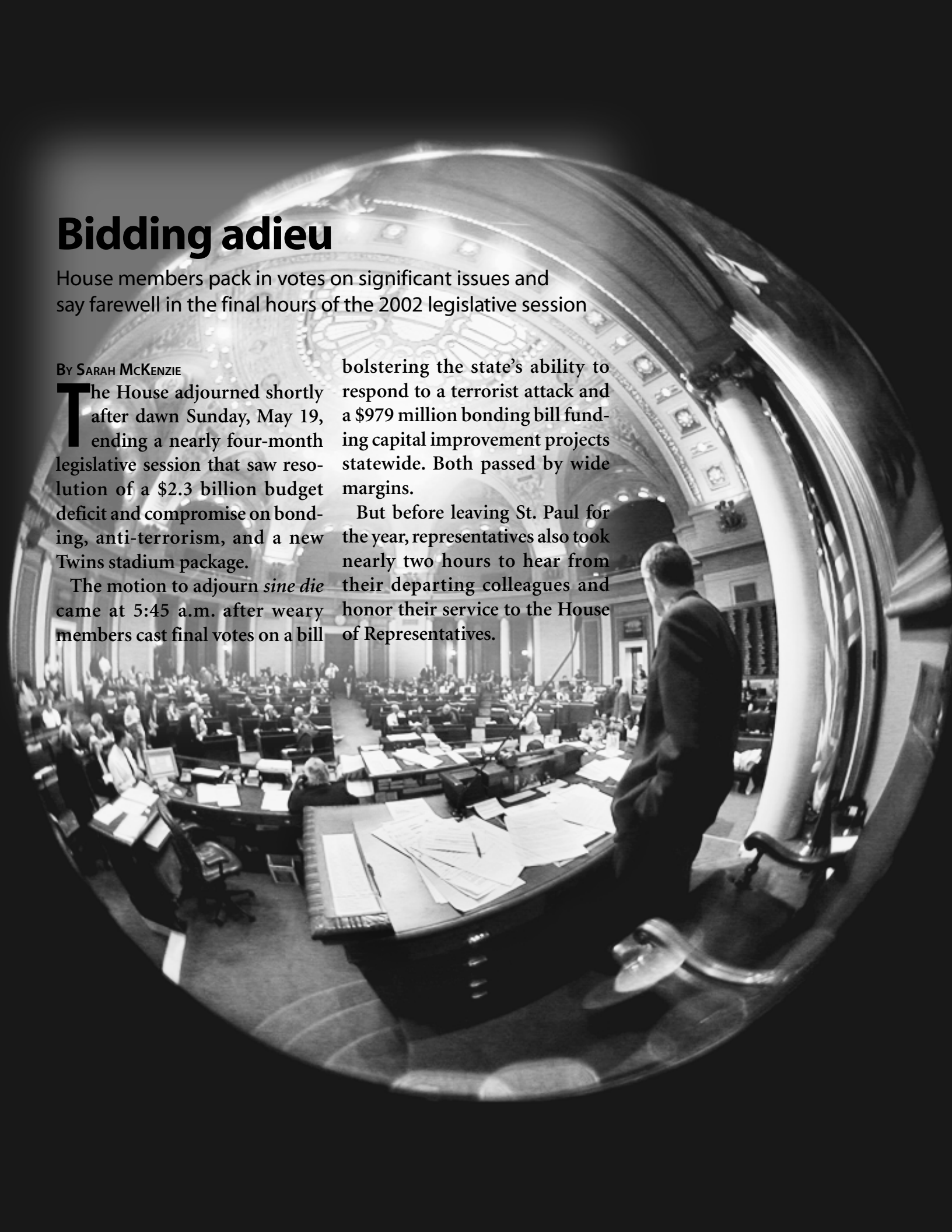
By SARAH MCKENZIE

The House adjourned shortly after dawn Sunday, May 19, ending a nearly four-month legislative session that saw resolution of a \$2.3 billion budget deficit and compromise on bonding, anti-terrorism, and a new Twins stadium package.

The motion to adjourn *sine die* came at 5:45 a.m. after weary members cast final votes on a bill

bolstering the state's ability to respond to a terrorist attack and a \$979 million bonding bill funding capital improvement projects statewide. Both passed by wide margins.

But before leaving St. Paul for the year, representatives also took nearly two hours to hear from their departing colleagues and honor their service to the House of Representatives.



House and Senate conferees negotiated through the night and into the morning to bring the anti-terrorism bill before both bodies. The measure — narrowed in scope by conferees — would appropriate \$13 million to equip and train the state's first responders.

The 15-hour marathon House floor session, which began around 3 p.m. May 18, also dealt with the passage of a new \$330 million Twins baseball stadium package calling for a \$120 million commitment from the team and other private sources. An override of Gov. Jesse Ventura's veto of the second budget-balancing bill, which plugged a \$439 million deficit, also passed.

Leaders of the Republican-controlled House credited lawmakers with finding a solution to the budget problem without cutting aid to state priorities or raising taxes.

"It was a challenging and difficult process, but we were able to balance the state's budget for 2002-03 without causing harm to our schools, nursing homes, or local governments," said House Speaker Steve Sviggum (R-Kenyon). "More importantly, we did it without adding an extra burden on working families like the Senate and governor proposed to do with their tax increases."

House DFLers predicted this year's budget fix might bring headaches next session.

"This year's budget is balanced, but not next year's," said House Minority Leader Tom Pugh (DFL-South St. Paul). "That means we'll have to do it all over again next January — and damaging cuts to education and local government aid remain a possibility if the economy fails to substantially improve."

DFL lawmakers also lamented inaction on transportation. A House-Senate conference committee failed to reach a compromise on the issue this year.

The House had proposed selling \$750 million in highway bonds to pay for road improvements while the DFL-controlled Senate had originally pushed for a 6-cent gas tax increase to fund \$5 billion for transit and highway improvements.

House and Senate negotiators exchanged offers but failed to find middle ground.

While the parties sparred on a number of issues, legislators did work in a bipartisan way to ensure their work on the budget deficit was veto-proof, effectively cutting the Independence Party governor out of the process.

Throughout the session, Ventura criticized the Legislature's approach to squaring the state's books. He vetoed the budget plan because he said it contained accounting "gimmicks."

The governor characterized the legislative session as "not very courageous" during a May 18 press briefing.

Ventura had proposed a combination of spending cuts and tax increases in January to plug what was then an estimated \$1.95 billion



PHOTO BY ANDREW VON BANK

House Speaker Steve Sviggum brings down the last gavel of the 2002 session. The House adjourned *sine die* at 5:45 a.m. May 19.

budget deficit. The plan included increases on gas and cigarette taxes, and extending sales taxes to newspapers, legal services, and automobile repairs, among other things.

The Legislature wiped away the budget deficit in two phases — both enacted by overrides of gubernatorial vetoes.

The first budget-balancing law, which took effect March 1, erased \$1.95 billion of the shortfall by tapping reserve accounts and making one-time and permanent spending cuts. The second supplemental budget law largely eliminated the remaining \$439 million deficit through accounting shifts, such as delaying payments to school districts and counties. The latter amount was revealed in the February forecast, released about the same time the first law was enacted.

The final House floor session opened with consideration of a bill modifying pension plans for police, firefighters, teachers, and other public employees. It passed 118-9.

Members later engaged in a debate on a new Twins stadium package. Supporters argued the bill was vital to keeping the team in Minnesota while opponents contended it would not necessarily guard against a proposed contraction.

It narrowly passed 72-61.

Then, following an evening recess, members garnered the two-thirds majority needed to override the governor's veto of the second budget-balancing bill. The vote was 95-38.

The next major issue was a bioterrorism bill that had stoked considerable debate earlier in the week. House-Senate conferees revised the

measure, known as the Minnesota Emergency Health Powers Act, to alleviate concerns it would infringe on civil liberties and trigger emergency powers for events unrelated to bioterrorism.

It passed by a wide margin, 117-16.

After hearing a couple of other bills, members took a lengthy recess, returning around 5 a.m. to consider the anti-terrorism bill.

The sleep-deprived members did not engage in much debate and moved rather quickly to pass the bill, 106-27.

The same was true for the bonding bill. It passed 102-31.

Ventura signed the bioterrorism, anti-terrorism, pension, and stadium plans May 22. He signed the bonding bill that day, as well, but line-item vetoed nearly \$334 million in general obligation bonding projects.

With the agenda cleared, the exhausted body approved a motion by retiring member Rep. Dave Bishop (R-Rochester) to adjourn *sine die*. House leadership had sought to end the session in March, but a protracted debate on the budget deficit, transportation, and a number of other high-profile bills pushed the session well beyond that informal deadline.

The constitutional deadline for session adjournment fell on May 20, but lawmakers may not pass bills or override vetoes on that day, prompting the weekend session.

The House is scheduled to reconvene at noon Jan. 7, 2003.

After adjourning, members turned to retirement speeches. Several representatives rose to bid farewell to their colleagues. Many have decided to step down to run for other public offices or because redistricting placed them in new, unfamiliar districts.

Rep. Carol Molnau (R-Cologne), who is leaving the House to run for lieutenant governor, said she didn't need glasses or have gray hair before she was elected.

In an emotional speech, she said, "Some of you are friends, some of you, OK, you're not. I thank you all."

Reflecting on her time with the House, Rep. Roxann Daggett (R-Frazee) recalled attending her first Republican caucus in the eighth grade.

"I never thought I would be one of those legislators I was so excited to meet," she said.

Rep. Andy Dawkins (DFL-St. Paul) said he appreciated having a "job where compassion counts."

"Lots of people make this place shine," said Dawkins, who is leaving to spend more time with his family. "I'm still in awe of having the title of member of the House of Representatives."

Rep. Mike Osskopp (R-Lake City), who is retiring because redistricting placed him in a new district, spoke highly of the spirited nature of the institution.

"Ideas are worth fighting for," he said. 🐼

Attention Session Weekly subscribers!

Attached to this issue is the annual *Session Weekly* renewal and readership survey. Please take the time to review and return the information on the back cover. We are pleased to offer several convenient formats you can choose from to renew your subscription for next year and submit your comments about the magazine. You can reach us through mail, via fax, or online. Your continued interest and feedback is important to us.

Last year we changed the procedure so that you would not have to tear out the last page of the magazine. We received a large amount of positive feedback from readers saying you appreciated the new format. However, the House has determined that due to budget cuts, we are not allowed to provide last year's format this year. We apologize for any inconvenience.

To provide readers with greater flexibility, we are pleased to offer several options for renewing.

1. Tear off the back page, check the appropriate box, fill out the survey, and **mail** it in.

OR

2. Fill out the form and **fax** it to us at (651) 297-8135.

OR

3. Use our new **online** renewal system.

- Point your browser to <http://www.house.mn/swform.htm> and fill out the form.

- Please take a minute to fill out the Readership Survey.

- Or simply go to the main House Web site at <http://www.house.mn> and find the link to Session Weekly renewal.

NOTE: You must renew your subscription each year. Postal regulations and costs require us to rebuild the subscription list annually.

New Laws 2002

We will be offering a Web-based version of our annual New Laws publication this year. The House has decided not to print a paper version for distribution due to budget constraints. New Laws 2002 will be available on the House Web site by August 2002.

If you would like to receive an e-mail notifying you when new House Information publications — including New Laws 2002, news releases, and other information — are available, please sign up for the House Information news listserv at <http://www.house.mn>.

Thank you!

Folliard (DFL-Hopkins) criticized the measure for crippling the Health Department's ability to improve indoor air quality by restricting smoking.

Seifert has argued that the department's rules have placed a burden on small business owners who are faced with purchasing expensive air filter systems.

Marriage effort annulled

House members voted 66-64 to defer discussion on a bill that would require students in health class to study sexually transmitted diseases (STDs) in the context of marriage. The motion essentially killed the measure for the year.

The vote was taken in the final hours of the session, just after 12 a.m. May 19. The bill (HF2660) is sponsored by Rep. Sondra Erickson (R-Princeton).

One of the few education-related bills this session, a number of amendments — from eliminating the Profile of Learning to releasing by a certain date student results on basic skills tests — were piling up. Members questioned the relevance of some of the amendments to the bill.

Rep. Mike Jaros (DFL-Duluth) pointed out the bill had no Senate companion and suggested there was other more important business at hand.

The bill is rather brief, only adding the words "and educating students on the value of marriage" to a section of law that says the program must include comprehensive curriculum that would help students "abstain from sexual activity until marriage."

The bill was reduced from its previous form, which included program requirements for discussing the effects of sexual activity outside of marriage, and to teach that "...marriage is the foundational social institution in society."

High school students who testified at a committee hearing earlier in the session said the physical and emotional effects of sex outside of marriage were never discussed in health class.

★ EDUCATION

Profile stays in place

The House rejected a conference committee report on a bill related to legislative oversight of state agency rules May 17, sending it back to committee and effectively killing the measure for 2002.

House Majority Leader Tim Pawlenty (R-Eagan) made the motion after he criticized the report for lacking a provision that would repeal the Profile of Learning, the state's graduation standards. The motion passed on a 113-17 vote.

In April the House adopted an amendment to the bill (HF2625/SF3133*) calling for the repeal on a 109-22 vote.

"This chamber has spoken loudly and clearly," Pawlenty said. "(The bill) fails to deliver any reform."

The six-member conference committee leaned toward abolishing the Profile of Learning, but two Senate conferees, Sens. Larry Pogemiller (DFL-Mpls) and Sandra Pappas

(DFL-St. Paul) objected. A majority of conferees from each body must agree on the content of the report.

Sponsored by Rep. Marty Seifert (R-Marshall) and Sen. Dan Stevens (R-Mora), the bill, as modified by the conference committee, would require that Health Department rules related to the Clean Indoor Air Act be approved by the Legislature enacting them as state law. The same provision is included in a new law signed by the governor May 18.

Furthermore, the measure would have allowed school districts to offer students with limited English proficiency an additional testing opportunity to meet the state's graduation requirements for writing.

Rep. Gene Pelowski, Jr. (DFL-Winona), one of the House conferees, criticized the compromise reached by the committee.

"The public school system will continue to sink under the weight of the graduation rule and Profile of Learning," said Pelowski, a teacher at Winona Senior High School.

Reps. Phyllis Kahn (DFL-Mpls) and Betty

★ ENVIRONMENT

No dedicated tax funds

A proposed constitutional amendment dedicating a portion of the state sales tax stream to the environment died in the House K-12 Education Finance Committee May 17 after the House sponsor pulled it from consideration by the panel.

Rep. Mark Holsten (R-Stillwater) accused House DFL lawmakers of being disingenuous

for offering amendments to the bill (HF1671), including setting aside similar dedicated funds for the state's public schools and early-childhood education.

Meanwhile, DFL legislators responded to Holsten's charge by arguing they wanted other "under funded" state priorities to receive similar treatment in the state constitution.

Holsten's bill would tap three-sixteenths of 1 percent of taxable sales in the state for conservation programs, parks and trails, and zoos. Officials expected it would have generated \$129 million in 2006 and sunset 20 years later.

To become law, a majority of voters would have had to approve the measure in the fall.

The bill was amended in the House State Government Finance Committee to include a dedicated fund for an education excellence fund. It also made stops in the House Taxes and House Governmental Operations and Veterans Affairs Policy committees.

Rep. Mindy Greiling (DFL-Roseville) offered an amendment to the bill in the K-12 Education Finance Committee that would have created a similar early childhood fund.

Greiling argued that while the state's public schools are well represented by a variety of special interest groups, the state's "youngest kids are powerless."

Holsten later withdrew his bill from consideration and the committee adjourned without voting on the amendment.

The committee debate also centered on whether creating dedicated funds is sound public policy.

Rep. Mark Olson (R-Big Lake) said lawmakers shouldn't mislead voters to believe that funding for the priority areas will increase. The education account would likely just shift money around in the general fund, he said.

Greiling also spoke out against the practice, saying, "Why don't we just appropriate the money instead of cobbling up the constitution with more dedicated funds."

Holsten said that the environment falls low on the legislative budget hierarchy and relies on dedicated funds to compete. He pointed out that 1.4 percent of the state's budget goes toward the environment.

An attempt to advance a companion measure in the Senate (SF1589), sponsored by Sen. Bob Lessard (Ind.-Int'l Falls), was defeated May 18. Lessard's motion to suspend the rules and take a vote on the floor failed 44 - 21.

★ TRANSPORTATION

Funding plan dies

Despite hours of conference committee meetings and numerous proposals from each side, House and Senate conferees could not

EAGLE-EYE VIEW



PHOTO BY ANDREW VON BANK

Tired members, staff, and lobbyists mill around the Capitol Rotunda area during a House recess in the wee hours of May 19, as the session drew to a close.

come to an agreement on transportation funding, and the bills died with the end of the 2002 legislative session.

Led by conference committee co-chair Rep. William Kuisle (R-Rochester), House members proposed a plan (HF3364) that borrowed \$750 million for five years beginning in 2003 to pay for road construction projects. The money would have been paid back with increases in current transportation funds.

The Senate plan (SF2812) called for a 6-cent increase in the gas tax to generate about \$5 billion over the next 10 years. That plan, sponsored by Sen. Dean Johnson (DFL-Willmar), would have included a yearly increase in the gas tax, and would have set aside more money for transit across the state.

In addition, the Senate plan would have called for the 11-county Twin Cities metropolitan area to vote on an additional one-half cent sales tax increase to be used for transportation projects.

Many businesses and organizations around the state kept a close eye on the transportation funding packages. For the first time, the Minnesota Chamber of Commerce joined with the Minnesota Transportation Coalition, a group of about 200 organizations and business interests, to support the Senate's plan for a gas tax increase.

At one point during negotiations, Kuisle offered a plan to accept a 3-cent gas tax increase, but that plan didn't gain support from House or Senate conferees.

Senate members insisted that a gas tax increase would have to be at least a nickel to do any good, while House members argued that any plan to increase the gas tax wasn't likely to pass the House, especially in an election year.

The conference committee did not meet during the final nine days of the session.

Editor's note: This section includes summaries of many key laws passed during the 2002 Legislative Session. For a full listing of all bills passed this year, see the Governor's Desk section, beginning on page 52.

★ AGRICULTURE

Increased earnings

Minnesotans who sell homemade goods at a farmers' market will be allowed to pocket \$5,000 a year — up from \$1,000 in yearly sales, under a new law.

Gov. Jesse Ventura signed the measure May 20.

Effective May 21, 2002, the homemade goods will not require a state health inspection but will need a label indicating the name and address of the person who prepared and sold the items.

Rep. Leslie Schumacher (DFL-Princeton), the House sponsor, called it a "family farmer friendly bill."

On May 16, the House passed the measure on a 129-0 vote. The bill cleared the Senate 63-0 on March 11. Sen. Dan Stevens (R-Mora) was the sponsor in that body.

Rep. Dan Dorman (R-Albert Lea) offered an amendment to the bill on the House floor restricting the registration of fertilizer containing arsenic. Fertilizer must be registered with the state before it can be sold.

The measure was ruled not germane to the bill.

During a February committee hearing on the farmers' market bill, the Department of Agriculture raised objections to it for increasing the volume of food sold without health inspections.

Kevin Elfering, who supervises the department's dairy and food inspection division, said it would make it more difficult to guard against the spread of food-borne pathogens.

HF3406/SF3256*/CH383

Biodiesel mandate enacted

Minnesota will be the first state to require that all diesel fuel sold contain a vegetable oil or animal fat additive known as biodiesel.

The new law calls for a 2 percent biodiesel blend by March 1, 2005 or earlier if the state or federal government passes a biodiesel tax credit. The state's soybean producers have pointed to biodiesel production as a way to boost the crop's lagging prices.

Proponents of the biodiesel legislation

argued the additive will tack at most a few extra cents to the cost of a gallon of diesel fuel. Opponents argued it will be more expensive and could also hurt the state's truck-stop operators because truckers will refuel in other states.

The requirement will not apply to motors used by nuclear power plants, trains, and taconite and copper mines. The law also contains a reimbursement clause: If the state repeals the mandate within two years, processors will be able to recoup up to 80 percent of their costs, paid to switch to the biodiesel blend.

Further, the law will also call for at least 50 percent of the biodiesel to be produced in the state. Before the requirement can take effect, the state's annual production capacity must exceed 8 million gallons.

Enactment of the biodiesel requirement came as the U.S. Senate considered including biodiesel incentives in its energy bill.

Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing) sponsored the law. HF1547/SF1495*/CH244

Loans and manure

On May 17, the governor signed the omnibus agriculture policy law, which will establish a methane digester loan program and place a moratorium on new, open-air swine manure basins.

The law was sponsored by Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing).

Under the new law, the Minnesota Pollution Control Agency or a county board will be barred from approving permits for the construction of open-air swine manure basins.

Farmers will be allowed to use one basin with less than a 1 million gallon capacity provided that it is part of a permitted waste treatment program for resolving pollution problems. Producers converting the basin to one used by a different animal type will also be exempt from the ban.

Effective May 18, 2002, the moratorium will expire June 30, 2007.

The methane loan digester loan program included in the new law will help finance capital investment costs associated with using manure to produce electricity.

Further, the new law will revise the University of Minnesota's "county extension work" definition. It strikes "economic and human development" and "community" from the work areas of extension educators and adds "agriculture finance, economic development, nutrition, and youth leadership development, including 4-H programs."

The impetus for the revision stemmed from concerns raised by members of the House Agriculture and Rural Development Policy Committee that extension fails to place a high enough priority on agriculture programs.

The University of Minnesota Extension Service objected to the revised definition, arguing it would limit its scope.

Chronic wasting disease, a fatal condition that afflicts deer and elk, is also addressed in the new law. Importing animals known to be infected with the disease will be banned.

The measure also calls for a joint study by the Board of Animal Health and the Department of Natural Resources on the disease. The agencies will be called on to recommend how the state should prepare for the problem.

The provisions in the new law, with the exception of the moratorium on new swine manure basins, are effective Aug. 1, 2002.

HF3183*/SF3219/CH373

★ ARTS

New state photograph

Bovey native Eric Enstrom's world-renowned photograph "Grace" will be added as Minnesota's 14th state symbol, under a new law effective Aug. 1, 2002.

The law requires the secretary of state's office to display the photograph.

Shot by Enstrom in 1918, it features an elderly man sitting pensively with bowed head and folded hands. He is leaning over a table, and on the table sit a pair of spectacles resting atop a thick book, a bowl of gruel, a loaf of bread, and a knife.

Rep. Loren Solberg (DFL-Bovey), the House sponsor, also sponsored a successful resolution in 2001 that urged the U.S. Postal Service to create a postage stamp reproduction of the photograph. That stamp has not yet been made.

Solberg said he didn't pursue the proposal to make the picture the state photograph at the same time because he wanted to give an opportunity to anyone else who might have another picture to put forward. No one else did.

The photograph joins the other 13 state symbols, including the state song, flag, mushroom, fish, flower, muffin, and others. Most recently, the Legislature passed a law in 2000 making the monarch as the state butterfly after a class of students from Mahtomedi brought the idea to their legislator, Rep. Harry Mares (R-White Bear Lake).



The Minnesota State Photograph, Eric Enstrom's "Grace," is officially unveiled at an April 3 ceremony in Secretary of State Mary Kiffmeyer's office. A 2002 new law established the state photograph. Present at the ceremony were, from left, Kiffmeyer; Britta Nyberg, Enstrom's great-granddaughter; Rhoda Nyberg, Enstrom's daughter; Rep. Loren Solberg, House sponsor of the new law; and Lois Berendts, Enstrom's daughter.

Sen. Bob Lessard (Ind.-Int'l Falls) was the Senate sponsor of the state photograph law.
HF1097/SF1072*/CH255

Sen. Steve Kelley (DFL-Hopkins) sponsored the legislation.
HF3464/SF3174*/CH326

★ BANKING

Money transmitter licensing

A new law will reduce financial requirements for licensing small-business money transmitters.

A 2001 law requiring money transmitters, such as Western Union, to be licensed also established requirements that were difficult for some smaller establishments to meet. All money transmitters were held to a \$100,000 net worth requirement, though many of the smaller businesses did not reach that mark.

Under the new law, the net worth requirement for licensure is a minimum of \$25,000 for money transmitters with three or fewer locations in Minnesota.

Money transmitters with four to six locations are required to have \$50,000 net worth, and for those with seven or more locations, requirements are a net worth of \$100,000 and an additional net worth of \$50,000 for each location above seven, up to a \$500,000 maximum.

The new law also adjusts legal requirements that the businesses carry surety bonds for a certain percentage of their net worth.

The \$50,000 current bond requirement is dropped to \$25,000 for money transmitters with three or fewer locations. The amount would not change for money transmitters with four or more locations and would be capped at \$250,000.

The new law is effective April 9, 2002.

Rep. Dan McElroy (R-Burnsville) and

New credit union laws

Laws governing state credit unions will be up to par with those regulating their federal counterparts, under a new law.

Effective Aug. 1, 2002, the new law will allow state-chartered credit unions to assess fees for its member services and impose late charges for missed payments.

The number of people in a group that can join an existing credit union will be lowered. This may be a disadvantage to credit unions, which would rather expand existing locations than add new ones, officials say.

State-chartered credit unions have slowly been converting to federally chartered credit unions, which has resulted in a loss of state tax revenue. Rep. Doug Stang (R-Cold Spring), the House sponsor, said he believes the new law will be enough incentive to keep state-chartered credit unions from converting.

The Senate sponsor is Sen. Don Samuelson (DFL-Brainerd).

HF2751/SF2650*/CH339

★ BUDGET

First round of cuts: \$1.95 billion

Most of the provisions of the first piece of the Legislature's plan to address the state's projected deficit for the end of the 2002-03 biennium, became law without Gov. Jesse Ventura's approval March 1. The Legislature voted to override the governor's veto of the law.

The new law addresses the deficit identified by the Department of Finance's November 2001 forecast, which indicated a \$1.9 billion shortfall for the current biennium.

A subsequent budget forecast showed the deficit would likely be closer to \$2.3 billion, more than \$400 million above previous estimates. The Legislature passed another law to address the remaining deficit.

The new law uses around \$1.59 billion from various reserve accounts and one-time spending reductions.

The law shifts the balance of the \$653 million budget reserve account to the general fund. It also transfers a \$195 million balance in the state's cash flow account, used to meet deficiencies resulting from uneven distribution of revenue collections and required expenditures.

A transfer of \$120 million from the state's assigned risk plan to the general fund is provided in the law. The assigned risk plan provides workers' compensation coverage to employers rejected by a licensed insurance company.

The law prohibits future budget forecasts from making an allowance for inflation in determining expenditure estimates.

Many different areas of state government will experience budget reductions under the law.

- Agriculture — General fund appropriations for agriculture will be reduced by \$1.69 million for 2002-03. Cuts include an \$800,000 reduction in spending for 2002-03 on the Agriculture Utilization Research Institute, a nonprofit corporation that promotes rural economic development projects. In addition, ethanol producer payments will be reduced beginning in 2005, under the law, from 20 cents per gallon to 19 cents.
- Criminal justice — Portions of the law affecting the state court system and the Corrections and Public Safety departments will be cut about \$26 million for the 2002-03 biennium. The cuts include a \$16.6 million reduction to corrections for the biennium and \$5.3 million to public safety. The new law also includes reductions of \$1.59 million to the court system for 2003, including the state Supreme Court, the Court of Appeals, and the state's district courts.
- Economic development — Economic development funds will lose almost \$6 million over the next biennium due to budget cuts. Administrative costs and program costs were cut in the departments of Trade and Economic Development, Economic Security, Commerce, and Labor and Industry and the Minnesota Trade Office, Minnesota Technology, Inc., and the Housing

Finance Agency. The Minnesota Historical Society's budget will be reduced by \$400,000. The new law will also delay merging the departments of Economic Security and Trade and Economic Development until July 1, 2003.

- Environment — General fund appropriations for environment and natural resources programs will be trimmed by \$12.9 million this biennium, nearly all of which will occur in fiscal year 2003. Budget adjustments will affect the Minnesota Pollution Control Agency, the Clean Water Partnership Program, the Office of Environmental Assistance, the state's zoological board, and the Department of Natural Resources.
- Family and early childhood education — The amount trimmed from family and early childhood education funding is a total of \$4 million for fiscal years 2002 and 2003, although \$3 million of that is made up for by the transfer of federal Temporary Assistance to Needy Families funds.
- Health and human services — Health and human services programs face the heaviest cut in the law — total budget cuts of \$95.9 million, \$55.4 million of which comes from the general fund. The law shifts some health care costs to counties, such as continuing and long-term care, and reduces payments for Medical Assistance and General Assistance Medical Care. Some cuts, including those to State Operated Services, were reinstated in the second budget-balancing law.
- Higher education — The law cuts higher education funding by \$50 million, including \$23.6 million from the University of Minnesota and \$22.7 million from the Minnesota State Colleges and Universities system.
- K-12 education — Cuts for K-12 education of \$14.9 million in the biennium, under the law. Funds for examination fees, teacher training, and support programs will be cut in half, and the law also reduces funding for the alternative teacher pay fund.
- State government — The constitutional officers, state agencies, boards, commissions, and Legislature will see a \$41.9 million cut under the new law. The Department of Revenue will receive a reduction of \$14 million from its budget. However, \$7.6 million was reinstated in the second budget-balancing law for the department's tax compliance division. The governor's budget is reduced \$1.1 million this biennium while the Legislature's budget will see a \$2.2 million reduction. A hiring freeze is imposed on state employment, and the law

also calls for reductions in the professional and service contracts.

- Transportation — The law trims about \$3 million from state general fund transportation spending, including about \$2.7 million from the Metropolitan Council and its transit operations, primarily in 2003. The Department of Transportation will lose about \$500,000 from non-highway programs over the biennium.

Rep. Rich Stanek (R-Maple Grove) and Sen. Doug Johnson (DFL-Tower) sponsored the measure.

HF351*/SF264/CH220

★ BUSINESS

Liquor licenses, 1 a.m. exemption

Six cities in the state have the authority to issue additional liquor licenses, under a new law.

Sponsored by Rep. Doug Stang (R-Cold Spring) and Sen. James Metzen (DFL-South St. Paul), the law gives the cities of Albert Lea, Brainerd, Coon Rapids, Eden Prairie, Proctor, and West St. Paul the authority to issue additional liquor licenses.

Generally state law limits the number of intoxicating liquor licenses that a city may issue. For example, cities with more than 100,000 residents are allowed to issue one license up to a maximum of 200 for every 1,500 people. Cities with a population between 20,000 and 99,999 are allowed to issue up to 18 licenses, plus one for every 2,500 population greater than 45,000.

Hotels possessing on-sale intoxicating liquor licenses that have hotel rooms with cabinets, which dispense liquor for a fee, are exempt from the state's 1 a.m. bar closing time on those sales, under the law.

The new law is effective April 6, 2002.

HF3058/SF2739*/CH318

Real estate licensing

Real estate licensing laws relating to making property disclosures and investigating statute violations will change, under a new law.

Effective Aug. 1, 2002, the commissioner of the Department of Commerce will be prohibited from intervention in monetary settlements between licensed real estate agents and consumers.

Specifically, the provision addresses instances when the department becomes involved in investigating a complaint. Though parties may settle the situation on their own, the new law will not allow the department to encourage or negotiate any specific monetary settlement.

In addition, the new law clarifies further the material facts that brokers are not liable for disclosing. Those conditions include if the property was the site of a suicide or homicide and if it is located near a nursing home or group home.

A different law passed in 2002 further clarifies that property owners are held responsible for disclosing certain information.

Technical provisions include no longer requiring agencies to retain disclosure forms for a property that did not produce a contract or services contracts where a buyer abandoned the agreement before services were provided.

Rep. Doug Stang (R-Cold Spring) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the law.

HF3078/SF2821*/CH286

Gas station owner rights

A provision that gives gas station owners additional rights to the land they occupy is now permanent law.

Gas stations are generally operated by franchisees that lease their locations. First passed in 2000, state law requires that the operator of the station be given an opportunity to purchase the property before the franchisor could sell it to a new franchisor.

The provision had a sunset date of July 1, 2002.

Effective March 22, 2002, the law now has permanent effect, under new legislation enacted during the 2002 session.

Some controversy between franchisors and franchisees over the amount of flexibility each can retain had kept the law from becoming permanent. Rep. Bill Haas (R-Champlin), House sponsor of the new law, said this year there was no opposition.

He said the franchisees won't lose any money under the new law and that it will protect local businesses.

Sen. John Hottinger (DFL-Mankato) sponsored the Senate version.

HF2766*/SF2475/CH249

Recovering contracting costs

Gov. Jesse Ventura signed a new law that will prohibit clauses in public works contracts that limit the rights of a contractor to recover costs or damages caused by acts or omissions within the contracting public entity.

Ventura vetoed a similar bill that unanimously passed both the House and Senate in 2001. The Senate voted to override the governor's veto but a similar vote in the House failed.

The new law is effective Aug. 1, 2002.

Rep. James Clark (R-New Ulm), the House sponsor, said the new law came as a result of instances such as one that involved a construction company scheduled to deliver fill but had the delivery substantially delayed by a Metropolitan Airports Commission decision to install a traffic light.

The company went to the commission to renegotiate a change in the contract due to the delay but was given no flexibility in the time of delivery clause, Clark said.

He said fears that the law would somehow affect the light-rail transit project in the Hiawatha Corridor led to the House's failure to override the governor's veto in 2001.

Those concerns have now been addressed, Clark said.

Last year in his veto message, Ventura wrote that the "no damage for delay" clause is commonly used in public works contracts and the legislation would lead to increased litigation and higher contract costs.

The new law was sponsored in the Senate by Sen. David Knutson (R-Burnsville).

HF3205/SF2890*/CH299

ALWAYS LEAVE 'EM LAUGHING



PHOTO BY ANDREW VON BANK

Retiring Rep. Peggy Leppik shares a laugh with members in the House chamber May 19. During her farewell speech, Leppik inadvertently referred to her seatmate, Rep. Jim Rhodes, right, as her "roommate."

★ CHILDREN

Daycare pool safety

Let the splashing begin.

Effective March 26, 2002, a new law will allow children to continue playing in portable wading pools at family daycare providers.

Although the Legislature approved a law permitting the use of the wading pools in 1999, it has been interpreted as an expired provision and law needed to be clarified.

Under the new law, a child's parent or legal guardian must sign a statement indicating they have read materials prepared by the state informing them of risks associated with swimming in the pools.

The wading pool must have a maximum depth of 24 inches and be capable of being manually emptied and moved.

Rep. Richard Mulder (R-Ivanhoe) and Sen. Arlene Lesewski (R-Marshall) were the sponsors.

HF2600/SF2419*/CH279

Home swimming pools

Family daycare providers will be allowed to let children they care for use their swimming pools, provided they meet a host of safety requirements, under a new law.

Effective Aug. 1, 2002, the new law exempts family daycare facilities from the state's public pool regulations.

Under the new law, daycare providers must

notify the county before children initially start swimming in the pool and annually thereafter. A child's parents or legal guardian must provide written consent after reading state-prepared material on the health risks associated with swimming pools.

The daycare provider must also complete a swimming pool training operator course once every five years.

Additionally, an individual trained in CPR and first aid must attend the swimming pool when children are using the pool.

Daycare providers will be exempt from liability unless they fail to meet the state's licensing standards.

Rep. Tim Wilkin (R-Eagan) and Sen. Deanna Wiener (DFL-Eagan) sponsored the law.

HF1517*/SF1443/CH333

Reporting maltreatment

Jolene and Bill Devine's 5-month-old grandson, Isaiah, died of Shaken Baby Syndrome in 2001. He had been at a daycare in Victoria.

The couple from Mayer, Minn., was among the major proponents of a new law that will change requirements for helping parents report suspected maltreatment.

By Aug. 1, 2002, all licensed childcare providers in the state will be required to develop policies for parents to report suspected child maltreatment, under the new law.

The Devines' daughter, Theresa, learned of

the caregiver's criminal past after her son's death. The record included drug and domestic assault charges, which did not appear on the record at the time the caregiver underwent and passed a criminal background check.

"We thought a license would ensure safety," Jolene Devine told a House committee during the 2002 session.

The state will also be required to print the licensing agency phone number on the daycare provider's license, directing concerned parents where to call for more information.

Daycare providers will be required to post both the county and state licensing phone numbers.

The law was sponsored by Rep. Carol Molnau (R-Cologne) and Sen. Claire Robling (R-Prior Lake).

HF2813*/SF2803/CH248

Gaining custody

About 71,000 children in Minnesota are being raised by their grandparents, siblings, or other caregivers, said Rep. Mary Liz Holberg (R-Lakeville), House sponsor of a new law designed to help these de facto parents more easily obtain legal custody of the children in their care.

The new law is effective Aug. 1, 2002.

Since many caregivers were having a hard time getting custody of the children they cared for, Holberg said she sponsored the measure to lay out a simpler process to gain custody.

In order to be awarded custody, the

caregiver must show that the parent has abandoned or neglected the child, or that it is otherwise in the best interest of the child to be raised with the caregiver.

Speaking in support of the bill, Rep. Luanne Koskinen (DFL-Coon Rapids) told of how she and her husband struggled to gain custody of their granddaughter after their daughter was murdered in 1994.

Although they did eventually win custody, legal battles with the child's father cost the couple about \$20,000.

Holberg said it is hard to determine how much the change in law would have helped in Koskinen's situation but it likely would have sped up the process.

Sen. Richard Cohen (DFL-St. Paul) sponsored the measure in the Senate.

HF2596/SF2673*/CH304

★ CONSUMERS

Labeling e-mail messages

Gov. Jesse Ventura signed a new law May 22 that will protect the privacy of Internet users and attempt to limit unsolicited commercial messages, commonly called "spam."

The law will require certain unsolicited commercial e-mail messages to be labeled as "ADV:" for advertisements, and "ADV: Adult" for those containing adult material.

Sponsored by House Majority Leader Tim Pawlenty (R-Eagan) and Sen. Steve Kelley (DFL-Hopkins), the new law will also protect the privacy of consumers who use Internet service providers by preventing them from distributing personal information except as needed to conduct business or with the consumer's consent.

House members approved the plan 131-2 and the Senate 62-0, both on May 18.

The measure will also require all unsolicited commercial messages to contain a return e-mail address or toll-free telephone number so recipients can request to be removed from the company's list. It also bans false or misleading commercial e-mail messages.

Violators who send misleading messages could be fined the lesser of \$25 for each message, or \$35,000 per day. Those who do not label commercial messages properly could be fined \$10 per message, or \$25,000 per day.

During May 17 conference committee testimony, Pawlenty said the Legislature has worked on the issue for several years, but it was only about a month ago that the issue began to be taken seriously.

Several representatives from local and national Internet service providers spoke against the idea, saying the issue would be better addressed at a national level.

During debate on the House floor, Rep. Eric Lipman (R-Lake Elmo) questioned how the legislation would be enforced for those who live in other states and countries and send messages to Minnesota residents.

Pawlenty said the law is based on legislation in the state of Washington that has withstood a court challenge, and will apply to Internet service providers with a physical presence in the state.

The legislation takes effect March 1, 2003. A provision will void the legislation if a national law were enacted.

HF3625/SF2908*/CH395

Do-not-call list authorized

A telemarketers' "do-not-call" list will be established by Jan. 1, 2003, under a new law.

At no cost to consumers, Minnesotans will be able to put their home telephone numbers on a list to which telephone solicitors will be required to subscribe, under the law. Residents' names will stay on the list for four years unless they choose to revoke them.

Nonprofit organizations, as well as political groups, will not have to subscribe to the list. Businesses that have a resident's permission, businesses with a prior relationship to a resident, and businesses who will follow up the phone call with a face-to-face visit are exempt from the requirement to obtain the list.

Four times a year, telemarketing companies will have to purchase the updated list or face a fine. The fee for obtaining the list will be \$125 for each copy. In 2004 the fee will be reduced to \$90, and thereafter it will be \$75.

General fund monies totaling \$482,000 in 2003 will be used to establish and maintain the list.

A violator of the list will be charged a civil penalty up to \$1,000 for each call.

If a national do-not-call list is established, the phone numbers on Minnesota's list will be sent to the Federal Communications Commission to be included on that list.

The law is sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul).

HF2710/SF3246*/CH367

★ CRIME

Tougher penalties

A new law intended to crack down on sexual offenders was signed by the governor May 21.

The House passed a conference committee report 131-0 on May 16 and the Senate passed it 54-4 one day earlier.

Effective Aug. 1, 2002, the law will clarify that it is a crime for the driver of special

transportation buses to engage in sexual contact with riders, regardless of consent.

Rep. John Tuma (R-Northfield), the House sponsor, said a Hennepin County attorney requested the change after a driver had sex with a mentally impaired rider and claimed the rider gave their consent.

The law will also set a new mandatory minimum sentence for those charged with certain violent cases of second-degree sexual misconduct. It will create a sentence so offenders won't be eligible for parole until after 7.5 years. That section is effective May 22, 2002.

Prior law requires those convicted of second-degree sexual misconduct to serve a minimum of four years.

Supporters said the change is needed because many first-degree offenders were pleading guilty to second-degree sexual misconduct in order to serve only four years in prison. First-degree sexual misconduct carries a sentence of 12 years.

In addition, the law will require that costs related to criminal sexual misconduct investigations are not borne by the victim. The law states that counties in which the alleged offense occurred must pay for examination costs.

The Senate sponsor was Sen. Don Betzold (DFL-Fridley).

HF3304/SF2433*/CH381

Requiring beer keg registration

Beer kegs sold in the state must be labeled with an identification tag, under a new law effective Aug. 1, 2002.

Sponsors of the law, Rep. Steve Dehler (R-St. Joseph) and Sen. Don Betzold (DFL-Fridley), say the measure is meant to crack down on underage drinking.

Under the law, off-sale liquor retailers will be required to attach a registration tag to each keg they sell. The tag must include the retailer's name, address, telephone number, keg identification number, and a warning that removing the tag is a crime.

The law will require off-sale retailers to record the driver's license number of the purchaser and keg identification number at the time of the sale. The retailer must also record the date and time of the sale and must collect the purchaser's signature.

Information collected must be kept for at least 90 days, and the retailer must make the information available to law enforcement officials upon request, under the new law.

The law will also make it illegal for store clerks to knowingly record false information for the sale, although the law does not set a fine for those who do.

Language in the law does not specifically

include any new penalties for violators. Existing civil and criminal laws continue to place responsibility upon those who purchase alcohol.

Store clerks will be liable only if they knowingly sell liquor to people under 21 years old.
HF58*/SF389/CH232

Taking responsibility for crimes

Activist groups and others who take credit for crimes will face a tougher penalty, under a new law.

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

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

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

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

Workman has said the bill is aimed at groups such as the Earth Liberation Front,

which publicly took credit for millions of dollars worth of damage when a January fire damaged a lab at the University of Minnesota's Microbial and Plant Genomics Research Center in St. Paul.

Sen. Dave Kleis (R-St. Cloud) was the Senate sponsor.
HF3048/ SF2460*/CH348

Lifetime sex offender registration

Effective March 1, 2002, a new law will require more repeat sex offenders to register with the state for the rest of their lives.

Gov. Jesse Ventura signed the law in time to prevent the state from losing about \$850,000 in federal grant money.

Rep. John Tuma (R-Northfield), the House sponsor of the measure, told the House during floor debate that the state could lose money from the Edward Byrne Memorial State and Local Law Enforcement Assistance program if the bill had not been passed by March 1.

State laws requiring certain criminals to register for 10 years went into effect in 1991, but lifetime registration was not added until 2000. At that time, 1991 was established as the cut-off for considering previous offenses.

Lifetime registration was previously only required if the offender's first offense was one that required registration at the time it was committed. The new law now requires criminals who were convicted of an offense before

1991 to register if they are convicted of a second offense.

The new law also applies to residents convicted of similar crimes at the federal level or in other states, as well as those who work in Minnesota but live in other states.

Sen. Jane Ranum (DFL-Mpls) sponsored the Senate version.
HF3049/SF3019*/CH222

Pay to stay behind bars

A new law will allow counties to charge inmates for room and board.

Sponsored by Rep. Maxine Penas (R-Badger) and Sen. Leo Foley (DFL-Coon Rapids), the new law will permit counties to collect fees from inmates only if the person has the ability to pay.

Beginning Aug. 1, 2002, county boards will be able to charge inmates for room, board, and clothing, as well as necessary medical, dental, or other correctional services. The law will give counties civil means to collect the money.

Under current practice, any money an offender has when he or she enters a county jail is returned to them when they leave, minus any fines that may have been assessed as part of a sentence.

The law will allow county boards to waive the fees if the person doesn't have the means to pay, if payment is unlikely, or if it would unduly harm the person's family.

It will also require offenders to pay other obligations, such as fines and child support payments, before money would be taken for the jail expenses.

HF2841/SF2533*/CH322

Escape, endangerment provisions

A convict who tampers with electronic monitoring devices will be subject to escape penalties, under a new law.

Effective Aug. 1, 2002, the new law states that people who are sentenced to electronic monitoring as a condition of their sentence, parole, or probation, will be considered escapees and subject to the same penalties if they tamper with the monitoring devices.

The new law is a culmination of several adjustments to criminal statutes.

In addition, the new law clarifies that a person is guilty of child endangerment if he or she is selling, manufacturing, or possesses the materials to manufacture controlled substances in the home. Such a situation, depending on the circumstances and effect on the child, may warrant a felony penalty of up to five years in prison and a \$10,000 fine, under the new law.

GOING TOGETHER



PHOTO BY ANDREW VON BANK

Rep. Tom Osthoff, right, gives a kind farewell to Rep. Bob Milbert May 19. The two friends are retiring from the House, — Milbert after eight terms, Osthoff after 14.

Previous law considered possession and use in the presence of a child to be endangerment.

The new law also provides that in juvenile proceedings where the sole purpose is a petition for habitual truancy, children, parents, guardians, or custodians do not have the right to a public defender. However, if out-of-home placement is ultimately required, the court may appoint legal counsel at public expense, under the law. That section is effective July 1, 2002.

Finally, the new law expands juvenile court jurisdiction over offenders who committed a qualifying act or were charged by juvenile petition prior to their 21st birthdays, but did not have their cases fully resolved before turning 21. Those cases would be settled in the juvenile system, along with those who either failed to attend a court hearing or somehow absconded from placement.

Rep. James Clark (R-New Ulm) and Sen. Leo Foley (DFL-Coon Rapids) sponsored the law.

HF2840/SF2580*/CH314

Criminal history data sharing

Minnesota will become part of an interstate agreement that makes it easier for states to share criminal history data, under a new law.

Effective Aug. 1, 2002, the new law makes Minnesota a participating state in the National Crime Prevention and Privacy Compact.

The compact is an agreement between member states and the federal government to share criminal history information for use in non-criminal background checks.

Officials say participation in the compact will better ensure that such data is shared among states. Entering into the compact is not expected to cost the state any money.

In addition, the new law will establish the state commissioner of public safety as the person who will oversee that the compact's rules and procedures in the state.

Rep. Rich Stanek (R-Maple Grove) and Sen. Charles Wiger (DFL-North St. Paul) sponsored the law.

HF1934/SF1030*/CH269

Reporting change

A new law will allow public employees and public officers to report instances of theft, fraud, or embezzlement directly to law enforcement rather than to the state auditor.

Effective Aug. 1, 2002, the new law will require the person making the report to provide all information pertinent to the incident, including any non-public data.

Rep. Mary Liz Holberg (R-Lakeville), House sponsor of the law, said that she proposed the

OUT OF THE POUND



PHOTO BY ANDREW VON BANK

Rep. Mike Osskopp is embraced by fellow "Dog Pound" member, Rep John Tuma, after Osskopp's retirement speech May 19. Osskopp is leaving after being paired with Rep. Jerry Dempsey in the redistricting plan.

change after a case in a Lakeville school where an employee was suspected of theft.

The school district was prevented from disseminating private employee information to law enforcement and had to go through the state auditor's office to seek discipline. In the meantime, the employee resigned, and the district was left with no chance for retribution.

A separate provision will allow school officials to inform law enforcement of the existence of certain data in a student's record if the student's parents or guardians do not object.

The measure does not allow schools to turn over exact data on the incidents, but rather allows only the existence of such data to be reported. Data that can be given out include knowledge of the student's drug use, alcohol use, threatening behavior, vandalism, or theft.

Under the new law, parents will be sent a letter informing them of law enforcement's request for their child's information. If the child's parents or guardians object to the information being disseminated, the school officials will be prohibited from turning over the information.

The law will not include information in the student's education record or data protected by a court order.

Sen. David Knutson (R-Burnsville) was the Senate sponsor.

HF2618*/SF3373/CH352

★ EDUCATION

Commission to become nonprofit

A new law will convert the Minnesota Commission on National and Community Service to a nonprofit corporation, which will allow the organization to be more entrepreneurial, its advocates say.

The new law will remove the commission from state oversight, providing more opportunity for it to engage the private sector in fundraising and to take advantage of new federal dollars.

The commission, which administers the state Youth Works and federal AmeriCorps programs, was constrained by a hiring freeze in the Department of Children, Families and Learning. The commission was unable to accept additional funds for AmeriCorps because they couldn't hire the staff to administer them, according to Rep. Andy Dawkins (DFL-St. Paul), the House sponsor of the law and a commission board member.

In recent years, "they have become a more entrepreneurial board, going after private dollars," he said, and private entities are "not as willing to fund government programs as much."

Commission officials say they are required to ensure the program benefits Minnesota. Furthermore, the commission does not intend to increase its board membership at this time.

The new law relieves the commissioner of the Department of Children, Families and

Learning of oversight responsibilities; however, the commissioner will still be a board member.

The nonprofit corporation will be subject to the data practices act, open meeting laws, and the legislative auditor's jurisdiction.

Most sections of the new law are effective the day after the commission certifies it is a nonprofit corporation.

The Senate sponsor is Sen. Steve Kelley (DFL-Hopkins).

HF2835/SF3028*/CH334

★ ELECTIONS

Campaign contribution changes

A new law will make changes to the state's campaign finance laws.

Rep. Jim Rhodes (R-St. Louis Park), the House sponsor, said the measure was brought forward by the state Campaign Finance and Public Disclosure Board as a way to address issues with laws governing the board.

Effective Aug. 1, 2002, many provisions of the new law change penalties for failing to file reports with the board from criminal penalties, primarily misdemeanors and gross misdemeanors, to civil penalties of either \$1,000 or \$3,000 depending on the nature of the violation.

Rep. Loren Solberg (DFL-Bovey) spoke in support of the measure, saying that the criminal penalties discourage people from serving as treasurers for campaign committees because of the fear of being prosecuted for making a mistake.

The new law will make it illegal for political committees and funds to donate money to a candidate at amounts greater than the amount legally allowed. Existing law only bans the candidate from accepting such contributions.

Further, the law will also allow a political candidate, who has agreed with his or her opponent to prescribed spending limits, to be released from the limits if the opponent does not adhere to them.

A principal campaign committee of a candidate for the Legislature will be allowed to transfer contributions to another principal campaign committee of the same candidate. The transfer is allowed for members of the House running for a Senate seat, and vice versa, or members of the Legislature running for constitutional officer positions.

The new law stipulates that if such a transfer occurs, the original principal campaign committee must provide a written statement of the committee's intent to dissolve and terminate its registration with the board within 12 months.

Sen. John Hottinger (DFL-Mankato) was the Senate sponsor.

HF3379/SF3384*/CH363

★ EMPLOYMENT

Ventura OKs extra benefits

Gov. Jesse Ventura signed into law unemployment extensions for many laid-off workers, but he did it with some reservations.

"This bill has many valuable provisions that appropriately should be signed into law; however, ... the extended unemployment insurance benefits in the bill are unfair to Minnesotans," he wrote in a statement to legislative leaders. He signed the legislation May 22.

The new law grants a 13-week extension of unemployment benefits to Farmland Foods Company workers, Fingerhut, Inc., workers in Greater Minnesota, and airline workers. In total, the workers could receive up to 52 weeks of benefits — 26 that state law permits for most workers, 13 from a federal extension, and 13 more from the state in this law.

"The extensions in this bill treat some workers as if their unemployment is more severe or painful than their friends, neighbors, and colleagues at other companies or in other industries," Ventura wrote.

"Government needs to treat all cases evenly; 52 weeks of benefits 'here and there' just doesn't make sense."

The new law will also grant a full extension for several thousand laid-off Minnesota workers who do not qualify for the 13-week federal benefits extension set to expire Dec. 31, 2002.

The new law will cost Minnesota employers nearly \$23 million and serve about 10,000 people. All employers will pay a little more into the unemployment insurance fund; airlines will cover 100 percent of the benefit cost to their former employees.

Ventura also criticized the Legislature for changing the criteria for extending benefits. He said he approved the extension for LTV Steel Company workers "with the understanding that LTV's case met very specific and narrow criteria.

"By changing those criteria ... I believe you have established a precedent with (the legislation) to be used in future years to justify a far wider set of extensions and the (unemployment insurance) trust fund simply cannot bear that burden," he wrote.

The unemployment extensions are effective May 23, 2002 and retroactive to March 10, 2002.

The new law also designates \$12 million to

pay for a technology initiative project under the unemployment insurance program, addresses the solvency of the unemployment insurance fund, gives priority to the Youthbuild program for constructing early childhood learning and child protection facilities, and establishes a task force to report recommendations for workplace ergonomics standards.

HF3648/SF3431*/CH380

Workers' compensation changes

Gov. Jesse Ventura signed a new law that will clarify workers' compensation provisions.

Beginning Aug. 1, 2002, the new law will require the payment of death benefits to be made to the estate within 14 days of when the insurer receives notice that a personal representative for the estate has been appointed.

Previously, employers or insurers were required to pay \$60,000 to the estate of an employee who has neither left dependents nor designated others to receive death benefits.

A requirement for an injured minor or incapacitated person to have a guardian or conservator in order to receive benefits will now only pertain if the total amount of benefit exceeds \$3,000. Previous law required a guardian or conservator regardless of the amount of benefits.

Also in the law, the Department of Labor and Industry will no longer have to keep a list of neutral physicians for use in workers' compensation cases. Officials said they want the provision removed because they have never been able to develop the list. This section is effective July 1, 2003.

The Workers' Compensation Advisory Council requested changes contained in the law.

Rep. Bud Nornes (R-Fergus Falls) and Sen. Arlene Lesewski (R-Marshall) sponsored the law.

HF3348/SF3136*/CH262

★ ENERGY

Technical changes

A new law makes technical changes to the 2001 Energy Security and Reliability Act, creates a power plant criteria study, and broadens a conservation program.

Gov. Jesse Ventura signed the legislation May 22. It passed in both houses May 18, the House voting 99-32 and the Senate 61-2.

Rep. Ken Wolf (R-Burnsville), the House sponsor, has said many of the changes address unintended consequences of the 2001 law.

Part of the new law would restore a

provision amended last year that allows landowners the option to sell an easement to or require purchase of property from a utility that wants to build a high-voltage transmission line across a landowner's property.

The new law also switches back the definition of high-voltage transmission lines to 200 kilovolts and larger. The 2001 law dropped the kilovolts limit to 100.

A small change is included in the new law regarding the reliability administrator, a new position in the 2001 law. It says this person may not have been a party to or participant in an energy proceeding at the Public Utilities Commission for at least one year prior to their appointment of administrator.

In addition, the new law restores more local control to the certificate of need process, and gives the Department of Administration more time to file a plan about conservation in existing public buildings.

The new law instructs the state commerce commissioner to assess criteria that could be used to evaluate and select bids for a plant. The commissioner is required to hold public hearings to assist in the evaluation, and present a report of the findings to the Legislature by Jan. 15, 2003.

Also, a Duluth conservation program can now award loans to commercial buildings in addition to residential homes. The revolving loan fund assists in conservation upgrades

such as insulation or energy-saving lighting.

This section is effective the day after approval by the city of Duluth's governing body. All other provisions are effective May 23, 2002.

Sen. James Metzen (DFL-South St. Paul) was the Senate sponsor.

HF2972*/SF2740/CH398

★ ENVIRONMENT

Phosphorus-free fertilizing

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

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

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

The restrictions take effect Jan. 1, 2004.

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

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

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

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

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

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

A violation of the law will be a petty misdemeanor.

HF1524/SF1555*/CH345

Deer health, fund changes

The Department of Natural Resources will be allowed to use money generated from deer hunting licenses to manage chronic wasting disease, under a new law signed by the governor May 20.

The fatal disease attacks the brains of infected deer and elk, causing the animals to lose weight and behave abnormally. There have been no cases in Minnesota, but deer in neighboring states have been found with the condition.

More than 50 deer in Minnesota have been tested and the DNR is developing plans for more monitoring and for handling an outbreak, if one occurs.

The provision allowing for the money to be used to guard against the disease takes effect July 1, 2002.

The new law was sponsored by Rep. Mark Holsten (R-Stillwater) and Sen. Leonard Price (DFL-Woodbury).

The new law also includes a number of technical provisions that will direct the disbursement of federal dollars for wildlife restoration.

It will authorize appropriation reductions for state recreational areas signed into law in 2001. The Red River State Recreation Area, under development near East Grand Forks, will receive \$200,000, down from \$600,000.

Further, the Big Bog State Recreation Area, under development near Upper Red Lake in

ONE-HOUSE MEMBER



PHOTO BY ANDREW VON BANK

Rep. Andy Dawkins, left, gets a farewell handshake from Rep. Loren Solberg after Dawkins' retirement speech May 19. The St. Paul DFLer is leaving after eight terms so he, his wife, Sen. Ellen Anderson, and their children can all reside under one roof. Anderson represents a different Senate district and the couple has maintained two households during their marriage.

north central Minnesota, will see a reduction from \$200,000 to \$100,000.

Both cuts are effective May 21, 2002.

The new law also includes \$150,000 for the DNR to conduct walleye research on Mille Lacs Lake in north central Minnesota.

Another provision will require the DNR commissioner to review the leasing of lakes for private aquaculture and report back to the Legislature by Jan. 15, 2003.

HF2973/SF2738*/CH376

Moth spraying allowed

A new law allows the Department of Agriculture to proceed with plans to spray for gypsy moths.

The highly destructive forest insect strips trees of vegetation.

Effective May 11, 2002, the new law provides exceptions to a state law banning aerial pesticide spraying in areas where people could potentially be exposed.

It will allow the spraying:

- when the pesticide is intended for use on a human, such as bug spray;
- for mosquito control operations before June 30, 2003; or
- to stamp out gypsy moths, tent caterpillars, or other “pest species” when a biological agent is used.

An opinion issued in April by state Attorney General Mike Hatch effectively derailed the department’s plans to conduct the spraying in portions of south Minneapolis, Golden Valley, and St. Louis Park.

The Agriculture Department has pegged this month as the ideal spraying time, prompting the Legislature to fast track the bill to the governor — two weeks passed between the bill’s introduction and the law’s enactment.

The department plans to use *Bacillus Thuringiensis* (B.t.) to kill the moths — a biological treatment considered safe for humans.

Rep. Tim Finseth (R-Angus) and Sen. Steve Murphy (DFL-Red Wing) were the law’s sponsors.

HF3719/SF3463*/CH369

ATV restrictions

All-terrain vehicle riders will be barred from driving off trails in state forests, under a new law.

Motorized vehicles will be allowed on designated forest roads and trails, under the law effective May 2, 2002. Commercial loggers, along with big-game hunters and trappers during the hunting season, will be exempt from the restriction.

The law also appropriates \$1.2 million for trail maintenance, monitoring and enforcement, and environmental reviews of proposed

trails. The money will be drawn from the all-terrain vehicle, off-highway vehicle, and off-highway motorcycle accounts.

Also under the new law, snowmobiles and outboard motors purchased by the Department of Natural Resources will have to be the four-stroke engine model. Further, it will require that ATVs purchased by the DNR be made in Minnesota.

Another snowmobile section in the new law will allow the DNR to use up to 50 percent of the snowmobile maintenance and grooming grant to reimburse intended recipients of the money for equipment costs.

Counties will also be allowed to raise the speed limit to 65 mph for snowmobiles traveling on marked trails on lakes larger than 10,000 acres. It will be applicable during daylight hours and subject to the approval of the DNR commissioner.

Rep. Tom Hackbarth (R-Cedar) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the law.

HF2970*/SF3010/CH355

Citizen water monitoring

The Minnesota Pollution Control Agency will have the authority to encourage a citizen-based, water quality-monitoring project, under a new law effective Aug. 1, 2002.

The agency will not be required to develop the program. But if the agency determines that it has adequate resources, the new law directs the agency to provide technical assistance and training to the volunteers to ensure the water quality data has uniform standards.

The new law encourages the agency to seek public and private funds to facilitate the program and create clear guidelines for water quality monitoring procedures.

If the agency takes on the water monitoring initiative, officials are encouraged to post data on the agency’s Web site to better inform citizens about the condition of Minnesota’s water bodies.

Currently, only a fraction of the state’s lakes and river ways are tested for pollutants.

If the agency launches the program, it will be required to make progress reports to the Legislature by Jan. 15 of each odd-numbered year.

The law will expire June 30, 2005.

Rep. Chris Gerlach (R-Apple Valley) and Sen. Jane Krentz (DFL-May Township) sponsored the legislation.

HF3275/SF2932*/CH253

Friendlier fuels

A state agency will be directed to buy cleaner-burning fuels for its fleet under a new law.

Fuels that meet the state’s standard will include a 20 percent biodiesel blend, compressed natural gas, hydrogen, liquefied natural gas or petroleum gas, and a 70 percent ethanol blend.

The measure takes effect Aug. 1, 2002.

Under the law, a state agency will be required to buy the cleaner fuel if it is “reasonably available at similar costs” to other fuels and if the blend is compatible with the vehicle’s motor.

It also directs state agencies, when replacing vehicles, to purchase new cars capable of running on the cleaner-burning fuels for the fleet if they are available and comparable in price to other vehicles.

The requirement coincided with another new law requiring all diesel fuel sold in the state contain 2 percent biodiesel by March 2005. The requirement will become effective earlier than 2005 if the state’s production capacity reaches a certain level and a state or federal tax credit for production is passed.

The new law governing the use of fuels also requires public entities — including all government, court, and school buildings — to have recycling containers.

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

HF3519/SF2675*/CH312

Consolidated-conservation lands

More than 100,000 acres of land in northwestern Minnesota will be designated as wildlife-management areas, under a new law.

The measure will complete an ongoing effort to apply the designation to remaining acres of the state’s Consolidated Conservation (Con-Con) lands.

Minnesota took control of the Con-Con lands beginning in 1929 through tax forfeiture. Farmers largely abandoned the lands during the Great Depression, according to a Legislative Reference Library guide on the issue.

At the time the state took over the lands, the state paid \$4.75 million to pay off county drainage ditch debts, securing responsibility for 1.6 million acres in Aitkin, Beltrami, Koochiching, Lake of the Woods, Mahanomen, Marshall, and Rouseau counties.

The Department of Natural Resources has managed the Con-Con lands in a variety of ways: as wildlife-management areas, state forests, state parks, scientific and natural areas, or agricultural areas.

Under the new law, 102,315 acres in Beltrami, Marshall, and Rouseau counties will

become the last acres designated as wildlife-management areas, which are heavily used by hunters. The state has more than 1.1 million acres with this designation.

The law contains a provision that will direct the DNR commissioner to designate a minimum of 90 miles of trails for all-terrain vehicles in wildlife-management areas. Eight-member working groups will be established in each county to work on trail designation plans.

Deer hunters will also be allowed to use all-terrain vehicles on the lands during the hunting season.

The ATV and Con-Con lands sections of the new law are effective Jan. 1, 2003.

Rep. Dennis Ozment (R-Rosemount) and Senate Majority Leader Roger Moe (DFL-Erskine) were the sponsors.

HF1359/SF2125*/CH353

FAMILY

Postnuptial agreements

A new law will allow more married couples to enter into postnuptial agreements.

Effective Aug. 1, 2002, the new law will permit couples to enter into pacts regarding who has rights to what property no matter how many assets the couple has.

Prior law required each spouse to have at least \$1.2 million in assets before a postnuptial agreement could be entered into.

The change will also allow an exception to current law that states a postnuptial agreement is not valid if either spouse files for divorce or legal separation within two years of the execution of the postnuptial agreement.

The new law states that a postnuptial agreement is presumed to be unenforceable in such cases, but it allows for exceptions if the spouse who wants the divorce or separation can establish that the settlement is fair.

Rep. Rob Leighton (DFL-Austin) and Sen. David Knutson (R-Burnsville) sponsored the law.

HF3455/SF3380*/CH338

Judicial consistency

Effective July 1, 2002, a new law will allow all judicial matters of a family to be heard by the same judge or referee in Hennepin and Ramsey counties.

Since most judicial districts in the state already have one judge assigned to family, probate, or juvenile affairs, the new law only addresses the second and fourth judicial districts. Ramsey County comprises the second district and Hennepin County the fourth. The measure does not include juvenile delinquency proceedings.

Officials testified during the session that the issue came from a pilot program that started in 1996. The program placed all cases such as divorce, domestic abuse, or child protection with the same judge or referee.

The process allows the family and the judge to become familiar with each other and helps the judge when making decisions about family matters.

Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Richard Cohen (DFL-St. Paul) sponsored the law.

HF3344*/SF2892/CH242

GAMBLING

Spending net profits

Bigger bingo jackpots in the state will have to wait.

Gov. Jesse Ventura signed an omnibus gambling law May 21 that does not include a House proposal to allow linked bingo games.

As it originally passed the House April 9, the bill would have allowed establishments like American Legion posts or VFWs to link themselves via satellite or other technology so multiple sites could combine their pools into a larger pot.

The House bill also would have allowed

electronic bingo devices that let players play multiple cards at the same time. The player enters the bingo caller's selection into a device that determines what cards contain the number-letter combination.

The Senate amended the bill to require the Gambling Control Board to draft model rules relating to linked bingo games and electronic bingo devices and report back to the Legislature by Feb. 1, 2003.

Rep. Mike Osskopp (R-Lake City), the House sponsor, said May 17 that given the late hour he agreed to the Senate changes so that other provisions in the bill could go forward rather than go to conference committee to negotiate the differences between the two bodies.

"All that is left are minor provisions that will help out your legions and VFW. This is a watered-down bill," he said.

Effective May 22, 2002, the new law will allow veterans organizations more flexibility in spending net profits from lawful gambling.

Prior law lists a number of purposes for which organizations such as VFW or American Legion posts may use lawful gambling profits including paying taxes, contributing to a community arts organization, or helping a person or family suffering from poverty or homelessness.

FOND FAREWELL



PHOTO BY ANDREW VON BANK

Rep. Harry Mares, right, gets a farewell handshake from Rep. Jim Knoblach after his retirement speech on the House floor May 19. Mares, the House sponsor of the Minnesota Twins stadium bill, is retiring after eight years in the House.

The new law will add the paying of utility bills for a building owned or leased by and used as the primary headquarters of a veterans organization to the list.

Organizations will also be allowed to pay up to \$5,000 per year in net costs for meals and other membership events, limited to members and spouses.

The House passed the law 89-36 May 17, and the Senate passed it 59-3 two days prior. Sen. Jim Vickerman (DFL-Tracy) is the Senate sponsor.

★ GAME & FISH

Overlimit penalties

A new law will stiffen penalties for those who violate the state's hunting and gaming limit laws, targeting people who illegally take wild game or fish worth more than \$500.

Effective March 1, 2003, the new law will allow Department of Natural Resources enforcement officers to seize boats, motors, and trailers used in the illegal activity. The DNR is also authorized to seize the hunting licenses of the individuals involved.

If the hunter or hunters unlawfully take more than \$5,000 worth of fish or wild animals, the state will be able to immediately seize all of their hunting and gaming licenses.

People who poach wild animals or fish worth more than \$1,000 will be guilty of a gross misdemeanor.

The law assigns dollar values for fish and wild animals. A canvasback, for instance, is worth \$100 while a trumpeter swan is valued at \$1,000. The base restitution value for a yellow perch is \$10.

The new law will allow for those found in violation to petition the DNR commissioner or a court to review the seizure of the license.

People convicted of illegally taking wild animals worth more than \$5,000 will be barred from obtaining a hunting license for five years. The same restriction will apply to those who poach animals worth more than \$500 within 10 years of previous license revocations related to similar offenses.

Commercial anglers will be exempt from the penalties if they are found to "incidentally" take too many fish and then release them.

Rep. Bill Haas (R-Champlin) and Sen. Jane Krentz (DFL-May Township) were the law's sponsors.

HF94/SF222*/CH270

ATV use, duck decoys

The Department of Natural Resources will be required to form a task force to study all-terrain vehicle use in state forests, under a new law.

The recreational vehicles came under scrutiny during 2002 after a newspaper series documented widespread environmental damage in some state forests from unregulated riding.

Under the omnibus game and fish law, the task force will be required to report back to the Legislature by Jan. 15, 2003 with recommendations on how to best proceed with new trail development while protecting the environment from soil erosion, among other things.

The DNR will be obligated to include a number of different viewpoints, including off-highway vehicle users, forest managers, and other people who use the forest without motorized vehicles.

Rep. Dennis Ozment (R-Rosemount) proposed the task force as a compromise measure to quell concerns by environmentalists and ATV groups. A conference committee co-chaired by Ozment and Sen. Jane Krentz (DFL-May Township), sponsors of the law, adopted the plan as an amendment.

Besides the motorized trail task force, the new law will allow a limited prairie chicken harvest. Interested hunters will be required to pay a \$4 application fee to be eligible for a license. The DNR will then pick hunters through a lottery system. The license fee is \$20.

This section of the law takes effect March 1, 2003.

The new law also bans the use of motorized duck decoys during part of the duck-hunting season, specifically opening day through the Saturday closest to Oct. 8.

In addition, the new law restricts recreational shining — the practice of using car headlights or a flashlight to spot deer. Shining onto residential properties at night from a moving car and on posted agricultural lands will be prohibited beginning Aug. 1, 2002.

HF2920/SF2674*/CH351

★ GOVERNMENT

Public TV upgrade

A new law will provide \$7.8 million to public television stations to assist them with a conversion from analog to digital signals. It became law after the Legislature voted to override Gov. Jesse Ventura's veto of the measure.

The law will also provide \$7.8 million in bonds to the Metropolitan Council for design and construction of bus garages.

A mandate from the Federal Communications Commission requires that all public television stations convert to a digital signal by May 2003.

Beginning in 2003, stations will still be able

to broadcast with an analog signal provided they have a digital signal, as well. Once 85 percent of the homes in the station's market are capable of receiving a digital signal, the station will be required to stop using its analog transmissions.

In making the motion to override the veto, Rep. Dave Bishop (R-Rochester), the House sponsor, said that without the preliminary funding 10 public television stations in the state would "go dark by May 1, 2003."

"Public television benefits to the state of Minnesota are incredible," Bishop said.

The initial \$7.8 million appropriation was contained in the state government finance law passed during the 2001 special session and signed by Ventura. The law required the Department of Administration and the Minnesota Public Television Association to negotiate an agreement specifying state and local benefit for the digital capability before the money would be distributed in the form of grants to local public television stations. However, the governor advised the commissioner of administration not to sign the agreement so the grants were never disbursed.

In his veto message, Ventura wrote that the bill doesn't provide an adequate level of direct benefit for the state given the investment being made. He said the bill "adds to the state's obligations at a time when we have depleted our reserves and there is still a gap between revenues and expenditures, both in the current budget and the next."

Effective April 10, 2002, the new law will fund the public television appropriation by transferring a general fund appropriation to the Met Council for the bus garages. The Department of Finance will then sell bonds and appropriate the proceeds to the council.

Sen. Keith Langseth (DFL-Glyndon) was the Senate sponsor.

HF197*/SF107/CH280

Employee data privacy

A new law will provide some privacy and protection to the family members of public employees.

For the most part, public employees' personnel data is public information. Data such as the employee's name, salary, job title, education, and training background is all public.

Effective Aug. 1, 2002, the new law specifies that data pertaining to an employee's dependents is private data.

State law already classifies some information as private, such as information relating to a person who is doing undercover law enforcement work or employee assistance data where the employee seeks counseling in a diagnostic or referral services program.

Rep. Mark Thompson (DFL-New Hope), the House sponsor, said that for safety reasons certain law enforcement personnel data is considered private, but prior law did not provide the same protection to family members.

The new law will also transfer duties relating to the administration of the Social Security program for public employees from the Department of Employee Relations to the Public Employees Retirement Association.

Sen. John Marty (DFL-Roseville) was the Senate sponsor.

HF3296*/SF3206/CH243

Filling township board vacancies

Town boards will be able to fill temporary vacancies, under a new law effective Aug. 1, 2002.

The new law will authorize townships to appoint another person to serve in place of a board member who is unable or unwilling to serve after a 90-day period.

Rep. Dennis Ozment (R-Rosemount), the House sponsor, said the issue was brought to him by officials from the Minnesota Association of Townships.

Prior law specified the circumstances under which an elected position could be defined as vacant. Those included the death of the incumbent, the resignation of the incumbent, the incumbent moving out of state, a conviction for an "infamous" crime or violation of official oath, or the official's refusal to take the oath of office.

The new law will allow town boards to declare and fill vacancies when an officer is unable or unwilling to serve in the office or attend board meetings for a 90-day period because of illness or absence.

Under the new law, town boards can declare a vacancy exists by resolution, and the board will be allowed to make an appointment to fill the vacancy for the remainder of the unexpired term or until the absent member is able to resume duties, whichever occurs sooner. If the original member were later able to resume his or her duties, the board will be required by resolution to remove the appointed officeholder and restore the original member to office.

Sen. Jim Vickerman (DFL-Tracy) was the Senate sponsor.

HF2637*/SF2472/CH241

Signing design documents

A new law relaxes some of the signature requirements for certain building and construction-related documents.

State law previously required any licensed architect, engineer, land surveyor, landscape

SENATE CHALLENGE



PHOTO BY ANDREW VON BANK

After a tearful goodbye to the body May 19, Rep. Sharon Marko gets an embrace from Rep. Peggy Leppik, who is also retiring. Marko is seeking a seat in the Minnesota Senate, where she said she hopes to continue serving her constituents.

architect, geoscientist, or certified interior designer to physically sign each plan, specification, plat, report, and other official documents they prepare.

The new law eliminates the signature requirement on documents prepared in those licensed professions that are drafts, or are of a preliminary, schematic, or design development nature.

The law will still require a signature on the final version of the documents.

Officials from the state Board of Architecture, Engineering, Land Surveying, Landscape Architects, Geoscience, and Interior Design testified that prior to the law the practice of most in the industry was to only sign the final version of documents.

Effective March 16, 2002, the new law also adds drawings to the list of documents covered under state law and specifies that a stamp, printed signature, or electronic signature has the same force and effect as a handwritten signature if it creates an accurate depiction of the original signature.

Rep. Jim Rhodes (R-St. Louis Park) and Sen. Linda Scheid (DFL-Brooklyn Park) were the sponsors.

HF2612*/SF2562/CH245

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

★ GREATER MINNESOTA

New cities created

Two new Minnesota cities may be created, under a new law effective March 27, 2002.

The new law will allow the cities of Rockville and Pleasant Lake to consolidate with Rockville Township into a single city.

Under previous law, consolidation was allowed between two cities but not between a city and a township.

The communities involved are required under the new law to hold public hearings after developing a consolidation plan. The plan must be developed within one year after the law's effective date.

The governing bodies of each participating city and town are required to approve the consolidation plan. The new law also required voters in each community to approve the plan, which they did on April 29.

The cities of New London and Spicer will also be allowed to consolidate with the township of New London under the measure.

A provision of the new law also permits the city of Montgomery, by ordinance, to abolish its ward system and provide for election of at-large council members. The law requires the city to adopt the ordinance by July 1 of the year in which the wards would be eliminated.

Rep. Doug Stang (R-Cold Spring) and Sen. Michelle Fischbach (R-Paynesville) were the sponsors of the law.

HF2933/SF2546*/CH296

Bioterrorism plan passes

The governor signed a new law May 22 clarifying the emergency powers of the executive branch in the event of a bioterrorist attack.

The Legislature gave final approval to a conference committee report on the measure in the final hours of the 2002 session. The House passed the bill 117-16 on May 18, and the Senate backed it 55-3.

The vote came after the House voted 94-31 on May 16 to send the measure back to conference committee, dealing it a near-fatal blow for the session. Some members raised concerns that the bill would infringe on civil liberties and give the executive branch too much power.

House and Senate conferees then narrowed the bill's scope. House sponsor Rep. Richard Mulder (R-Ivanhoe) said the measure was just the start of a lengthy process to improve the state's ability to respond to an attack.

"Now is the time to create some resemblance of a plan," Mulder said.

Despite the revisions, Rep. Lynda Boudreau (R-Faribault) expressed concern, saying the law could potentially trigger emergency powers for events unrelated to bioterrorism.

Effective May 23, 2002, the law largely clarifies the powers of the governor and the health commissioner that already exist under current state law.

Known as the Minnesota Emergency Health Powers Act, it will make a "public health emergency," which includes bioterrorism, a trigger of the governor's authority to declare a national security or peacetime emergency.

The measure will expire Aug. 1, 2004, prompting the Legislature to revisit the issue.

It will permit the governor to commandeer medical supplies and facilities during a declared emergency. But the law will also place a number of checks on the executive branch, including requiring a court order to quarantine or isolate people and granting the Legislature the authority to terminate a governor's emergency declaration.

Besides bioterrorism, a public health emergency will include the appearance of a new, novel, previously controlled or eradicated airborne infectious agent or airborne biological toxin.

The health emergency will also have to pose a high probability of causing a large number of deaths or a large number of serious or long-term disabilities to trigger the emergency powers.

Sen. John Hottinger (DFL-Mankato) was the Senate sponsor of the law.

HF3031*/SF2669/CH402

Legislative oversight

The Legislature will be required to approve state agency rules related to the Minnesota Clean Indoor Air Act, under a new law signed by the governor May 18.

However, the oversight, effective Jan. 1, 2003, is not required for rules governing smoking in office buildings, factories, warehouses, and healthcare facilities.

Rep. Marty Seifert (R-Marshall), sponsor of the provision that was tucked into an omnibus health and human services policy bill, has argued that the Department of Health has overstepped its authority by imposing smoking restrictions on restaurants and cafes.

Small business owners have been faced with purchasing expensive filtering systems to comply with the rules, he said.

Meanwhile, Rep. Phyllis Kahn (DFL-Mpls) objected to further restrictions on rulemaking, arguing it will limit the department's ability to curb second-hand smoke in public areas.

Besides the rule oversight provision, the new law contains a number of technical changes to state health and human services licensure requirements.

Local fire code inspectors will be allowed to charge a daycare provider a \$50 fee for an inspection.

Some providers in Greater Minnesota have requested the measure because the state fire marshal has cut back on inspections due to budget cuts.

The provision sparked debate on the House floor when opponents called it unfair to daycare providers since many other businesses don't have to pay for the inspection.

Rep. Kevin Goodno (R-Moorhead) and Sen. Linda Berglin (DFL-Mpls) were the sponsors.

HF3236/SF3099*/CH375

Donated dentistry

Dentists will be permitted to volunteer their services to low-income patients, under a new law signed by the governor May 22.

The House passed the measure 128-5 on May 18 after adopting a conference committee report on the bill, sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Sheila Kiscaden (R-Rochester).

It cleared the Senate 62-0 the same day.

During a March committee hearing, Dominic Sposeto, who represents the Minnesota Dental Association, said the program has yielded a high rate of return on state dollars in other parts of the country.

Thirty-two states have established similar programs.

For states that have had volunteer dentists for at least five years, \$1 of state money has

been matched by \$8 in pro bono care, he said.

The measure includes a \$75,000 appropriation for fiscal year 2003 to implement the donated dental services program. It will also appropriate \$50,000 for medical liability insurance.

Effective July 1, 2002, the new law also contains a provision allowing mortuary science practitioners to apply for an emeritus status upon retiring from the profession in good standing.

HF3350*/SF2811/CH399

Drug administration

The state's emergency medical groups will be required to develop a plan by Sept. 1, 2002 to equip all Minnesota ambulances with epinephrine, under a new law.

The stimulant is used to treat life-threatening allergic reactions.

While nearly all ambulances in the Twin Cities metropolitan area already carry epinephrine, about 40 percent of ambulances in Greater Minnesota go on runs without the drug.

At a hearing before a House-Senate conference committee, doctors and parents of children with potentially fatal food allergies called for a law mandating that all ambulances be stocked with the stimulant.

The Minnesota Ambulance Association, however, expressed concern about establishing a mandate in state law requiring ambulances to carry the drug.

O.J. Doyle, a lobbyist for the association, said ambulance providers preferred to establish a statewide plan on their own.

The section of the law related to epinephrine is effective May 9, 2002.

Also, under the new law, registered nurses will be allowed to administer prescription drugs and vaccines to patients that display symptoms consistent with conditions outlined in a protocol. That section is effective July 1, 2002.

Rep. Jim Abeler (R-Anoka) and Sen. Deanna Wiener (DFL-Eagan) were the sponsors.

HF3359*/SF3005/CH362

Organ donation

A new law will ensure that the wishes of people who intend for their organs be donated when they die are honored by their families.

The law, called the Darlene Luther Anatomical Gift Act, will make sure that people who designate themselves as organ donors on their driver's licenses ultimately become donors. It is effective April 25, 2002.

Rep. Phyllis Kahn (DFL-Mpls), who

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

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

Donors would still be able to change their donor designation at any time, under the law.

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

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

HF2473*/SF2807/CH349

Raising awareness

A new law will provide a plan to increase awareness about organ donation.

Sponsored by Rep. Carol Molnau (R-Cologne) and Sen. Linda Scheid (DFL-Brooklyn Park), the new law will require driver's education programs to teach new drivers about



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

organ donation. Public and private school driver's education classes, as well as commercial driver training schools, will be required to teach students about their options.

It will also require schools to inform students of the opportunity to become a donor when they apply for a driver's license, and stress the importance of sharing the decision to be an organ donor with family members.

From now on, the state driver's manual will also contain information about organ donation.

The state now allows drivers to check a box on their driver's license application or renewal forms to indicate they wish to donate their organs when they die.

Most people support organ donation but many don't think about it when applying for or renewing their license, Molnau said.

The new law is effective Aug. 1, 2002.

HF3328/SF3278*/CH305

Contact lens prescriptions

Effective Aug. 1, 2002, patients will have better access to their contact lens prescriptions.

Under a new law, any professional performing an eye exam, including an optometrist or physician, must provide patients a copy of their prescription after an exam and fitting. The patient, however, may be required to pay for the exam to receive the prescription.

The contact lens prescription will be valid for two years unless a different expiration date is warranted for the patient's eyesight.

Eye doctors will also be required to promptly respond to requests from other professionals who seek to verify the patient's prescription.

Further, optometrists and physicians will be barred from charging a fee for releasing the prescriptions and requiring patients to purchase a specific brand of lenses only available through the prescribing eye doctor.

Failures to comply with the new law will result in disciplinary action by the state Board of Optometry.

Rep. Erik Paulsen (R-Eden Prairie) and Sen. Sheila Kiscaden (R-Rochester) were the sponsors.

HF2603/SF2627*/CH259

Commitment change

A new law will give police and family members of mentally ill people more discretion in having the person taken to a medical facility if they pose a danger to themselves or others.

The change strikes the word "imminent" from current law used by law enforcement to determine whether a person poses an "imminent danger" to themselves or others.

Effective Aug. 1, 2002, the law will also require the state Department of Human Services to conduct a study and report to the Legislature regarding the unmet health needs of Minnesotans.

In response to a March shooting by Minneapolis police of a machete-wielding Somali man, Rep. Karen Clark (DFL-Mpls) added a provision on the House floor that will require the Department of Human Services to study the specific mental health needs of the immigrant and refugee communities.

Rep. Mindy Greiling (DFL-Roseville), the House sponsor, said during floor debate that the measure is widely supported by those in the medical and law enforcement fields and has little opposition.

Sen. Linda Berglin (DFL-Mpls) also sponsored the law.

HF2735/SF2457*/CH335

Dentist disclosure

A new law will require that the Minnesota Board of Dentistry be informed of dental professionals who are unable to practice because they have been impaired by an illness or drug use.

Effective Aug. 1, 2002, the law applies to dentists, dental hygienists, or dental assistants.

The new law specifically relates to professionals "unable to practice with reasonable skill and safety" stemming from a physical or mental condition or substance abuse.

Healthcare facilities will be required to report any disciplinary action taken against the dental professional to the state Board of Dentistry along with notice if the individual resigned.

Additionally, dental associations will be obligated to report any termination of memberships related to a dental professional's impairment.

The disclosure requirement will also apply to any licensed health professional with knowledge of the individual's inability to practice.

Healthcare facilities and individuals that submit reports to the Minnesota Board of Dentistry in good faith will be protected from civil liability and criminal prosecution.

Rep. Dan McElroy (R-Burnsville) and Sen. Don Samuelson (DFL-Brainerd) sponsored the law.

HF3193/SF2957*/CH341

Nursing wage rates

A new law regulating temporary nursing agencies is aimed at putting an end to litigation stemming from a law enacted last year.

The measure, sponsored by Rep. Fran Bradley (R-Rochester) and Sen. Dallas Sams (DFL-Staples), will revise a 2001 law that caps

temporary nurses' wages at 150 percent of what permanent workers earned.

Effective April 10, 2002, the legislation was drafted as part of an effort to rein in escalating costs to the state's nursing homes as Minnesota faces a serious nursing shortage — officials estimate 3,500 openings for nurses statewide.

Agencies objected to the cap and battled the prior law in court. The companies said the law neglected to factor in payroll taxes and differences in pay for weekend shifts.

The temporary nursing agencies have dropped the lawsuit.

The new law will no longer exempt "in-house" temporary nursing pools from the regulations.

It will require the temporary nursing agencies to secure liability protections, maintain workers' compensation for employees, and register with the Department of Revenue. Further, the agencies will be required to document that independent contractors had not been hired.

HF2664/SF2459*/CH287

Telemedicine assistance

A new law will permit out-of-state physicians to practice telemedicine in Minnesota, provided they meet a number of licensure requirements in their home state.

Telemedicine is defined in the law as the "practice of medicine when the physician is not in the physical presence of the patient."

Sponsors testified the law primarily targets physicians who practice medicine over the Internet.

The physician will be required to register with the Minnesota Board of Medical Practice and pay a \$75 annual fee and a \$100 application fee.

Doctors will be obligated to meet a number of other standards outlined in the law, including having a license to practice medicine without restriction in their home state.

They will also be barred from opening an office in this state to meet with or receive calls from patients.

Exemptions from the registration requirements will apply to physicians responding to an emergency medical condition, those who offer services on an infrequent basis, and doctors who consult with Minnesota physicians that maintain authority over a patient's diagnosis and care.

Rep. Richard Mulder (R-Ivanhoe) and Sen. Steve Kelley (DFL-Hopkins) sponsored the law, effective Aug. 1, 2002.

HF3346/SF3026*/CH361

Reducing medical costs

Effective Aug. 1, 2002, a new law will allow Hennepin County to save costs on purchases for the Hennepin County Medical Center and other clinics.

Under previous law the medical center contracted with a consortium to participate as a member of a group purchasing program. Municipal purchasing law requires the county to contract with the lowest bidder that meets specifications.

Sponsored by Rep. Ron Abrams (R-Minnetonka) and Sen. Martha Robertson (R-Minnetonka), the new law will allow the county to award bids based on "best value." The county will be able to base contracts on behalf of the medical center, ambulatory health center, and other clinics using price as a factor, but not necessarily as the lone determination.

Abrams said that through participation in the group purchasing program the medical center saves around \$1.6 million per year by accessing reduced prices for medical supplies, equipment, and pharmaceuticals.

The new law specifies that the county is authorized to enter into a contract with a private or public cooperative purchasing organization on behalf of medical centers and clinics if it can be established that the contracts have been awarded through a competitive request for proposal process.

HF3224/SF3034*/CH302

HIGHER EDUCATION

Agent registration

Agents wanting to associate with student-athletes in Minnesota will need to pay to do so, under a new law.

Sponsored by Rep. Peggy Leppik (R-Golden Valley) and Sen. Deanna Wiener (DFL-Eagan), the new law will require agents to register with the state commerce commissioner before contacting a prospective client. It takes effect Jan. 1, 2003.

Drafted by the National Conference of Commissioners on Uniform State Laws, the law is designed to standardize state regulations that govern agent conduct with student-athletes. Leppik said it has been enacted in 11 states and is pending in many others.

Although there have been no problems in Minnesota that she is aware of, Leppik said there have been "too many issues nationwide of the unethical performance of agents jeopardizing the eligibility of student-athletes."

An agent wishing to register in the state will be required to pay a \$500 fee that would be valid for two years. Renewals will cost \$400.

Parents wishing to represent their own children will be exempt from the fee.

Agents contacted by student-athletes, but not yet registered with the state, must do so within seven days, under the new law, and they cannot enter into an agreement until registered. Included on the registration will be the agent's formal training, experience, and other individuals represented by the person.

Agents who violate the act could be assessed a civil penalty of up to \$25,000 per incident.

The new law calls for a contract to clearly state that signing with an agent could affect the student-athlete's eligibility. It will also give student-athletes 14 days to cancel an agreement after it is signed. Furthermore, once an agreement is signed the student-athlete's school must be notified within 72 hours, or before the next game, whichever is earlier.

HF2719*/SF2827/CH332

HOUSING



Affordable housing costs

Cities will soon be able to take steps to ensure affordable housing remains affordable for low-to moderate-income households for up to 20 years, under a new law, effective Aug. 1, 2002.

Often, cities grant housing developers breaks on regulatory provisions, such as zoning. Typically the units are affordable at first, but cities previously had no ability to require the owner to keep those costs manageable for lower-income families.

The new law will require cost qualifications to maintain affordability over time.

Cities will be allowed to impose the following requirements on affordable housing:

- certain sale prices or rents for the affordable units;
- maximum income limits for buyers or renters of the units;
- means for maintaining long-term affordability, by using equity sharing, for example; and
- land trust agreements for the units.

A land trust is when an organization, usually a nonprofit, leases a lot to developers, who pay rent on the land. Developments built on leased land are much less expensive than those built on purchased land.

A city would be allowed to impose such requirements for up to 20 years.

The law was amended during debate on the House floor with a provision not directly related to the other housing portion. The new language will also allow cities or towns to prepare a statement of potential housing fiscal changes.

The fiscal note would report regulation

changes that could increase or decrease costs for a housing development. The changes could include the location, height, width, type of foundation, number of stories, or design of residential housing in a city or town that has adopted the state building code and is located in a county with a population of 30,000 or more, according to the new law.

The statement would also explain the long-term implications, alternatives to, and rationale for the proposed changes.

Rep. Ray Vandever (R-Forest Lake) and Sen. Richard Cohen (DFL-St. Paul) sponsored the legislation.

HF3169/SF2881*/CH315

Real estate disclosure

A new law is designed to protect the rights of people buying a home.

Effective Jan. 1, 2003, the new law will require people selling a home to tell buyers if there is something wrong with the home that could, "adversely and significantly" affect the buyer's interest in the property.

Rep. Mary Liz Holberg (R-Lakeville) and Sen. Ann Rest (DFL-New Hope) sponsored the law.

Holberg said the law will help protect home buyers and will shield real estate agents from being sued for problems that they were not told about by the home's sellers.

The law does not apply to certain property transfers, such as those between family members or those related to divorces or inheritance.

It also includes certain protections for sellers who did not disclose problems because they were unaware of the problem or did not have the technical knowledge needed to determine that the problem existed.

A provision in the law also allows the sale of property "as is" if both parties agree that no legal action will be taken after the sale.

A similar measure, also signed into law, clarifies that real estate agents do not have to disclose certain information about a house, such as if it was the scene of a homicide or if it is near a nursing home or group home.

HF3079/SF2697*/CH306

HUMAN SERVICES

Reporting incidents mandated

Physical aggression between mentally retarded residents at licensed group homes and other state facilities will warrant reports to the individuals' legal representatives and case managers, under a new law.

Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. John Marty (DFL-Roseville), the new law will add "consumer-on-consumer" aggression to a list of incidents caregivers are required to keep guardians informed about.

Under the law, a caregiver will be obligated to report the incident within one day of learning of the problem.

Besides physical aggression, the following circumstances will be added to the state's list of reportable incidents: medical emergencies, unauthorized absences, and coerced sexual activity between residents.

When the incident involves two residents, the caregiver is barred from disclosing "personally identifiable information" to the legal representative about the other resident.

If the caregiver has reason to believe the resident's legal representative or case manager is involved in the wrongdoing, he or she will not be required to report the incident to that person.

The information in the report will need to include the nature of the incident, the agency that received the report, and the telephone number of the Department of Human Services licensing division.

The new law is effective Aug. 1, 2002.

HF3091/SF2764*/CH289

Hospice bill of rights created

A new law will establish a bill of rights for hospice care patients.

Under the new law, the state will be authorized to suspend a caregiver's license if the terminally ill patient's rights are violated. The provider will be entitled to receive notice from the Department of Health and a hearing.

In addition, patients will be entitled to 22 rights ranging from the right to "be free of physical and verbal abuse" to the right to refuse treatment. The law will take effect when the Department of Health updates the licensure guidelines regulating hospices under Minnesota Rules.

Hospice caregivers will now be required to inform prospective patients of their rights before they sign on to a care plan. Once the patient has agreed to a care plan, the hospice provider must keep them informed of all medical costs even if the treatment is billed to a third party.

Medical and financial information will also be kept confidential, but patients will have the right to access their own records.

Furthermore, the patient is entitled to have their pain managed at a "desired level of comfort."

Under the new law, the patient will be able assert his or her rights, or if the individual is

deemed incompetent, the family can assert rights on their behalf.

If hospice providers fail to meet these standards, the state will be allowed to take action in court.

Rep. Kevin Goodno (R-Moorhead) and Sen. Linda Berglin (DFL-Mpls) sponsored the legislation.

HF2531*/SF2381/CH252

Informing foster parents

A new law will require that foster parents be informed of children's communicable diseases before they begin caring for them.

Rep. Barb Sykora (R-Excelsior), House sponsor of the law, said disclosure practices vary widely among the state's counties. Some officials have expressed concern that informing foster parents about the diseases would violate the state's Data Practices Act, she said.

Under the new law, counties and child-placement agencies will be bound by the disclosure requirement. It will also apply to adults with communicable diseases who need care by foster parents.

The agencies will further be obligated to determine whether the foster parents are able to care for the child.

Sen. Sheila Kiscaden (R-Rochester) was the Senate sponsor. The new law is effective Aug. 1, 2002.

HF2932/SF2614*/CH290

Behavior disclosure

School districts will be required to disclose an employee's record of violent behavior or sexual misconduct on the job to a prospective employer at another school, under a new law.

The disclosure requirement is dependent on obtaining "written, informed consent" of the employee, however.

After agreeing on Senate revisions to the bill, the House re-passed the measure 117-14 on May 18. The Senate vote was 58-2 the same day.

Effective July 1, 2002, the new law also includes a provision protecting employers from liability for disclosing information about disciplinary action taken against a current or former staff member at a licensed facility serving children, mentally retarded people, or the developmentally disabled, among others.

Rep. Jim Abeler (R-Anoka), the House sponsor, said the measure codifies common law, noting that many providers refrain from providing references beyond disclosing dates of employment for fear of breaking the law.

Employers may disclose the employee's compensation, job description, duties, and

training and education provided on the job.

Additionally, employers will be permitted to reveal information about behavior that resulted in disciplinary action or resignation, including acts of violence, theft, harassment, and other illegal conduct.

Sen. John Hottinger (DFL-Mankato) was the Senate sponsor.

HF3092*/SF3085/CH396

Employee screening

A new law will add a number of crimes to a list of offenses barring applicants from jobs at facilities serving the state's most vulnerable citizens.

Effective Aug. 1, 2002, additional offenses that will ban people from caring for children or adults at a licensed family daycare or a state facility will include first- or second-degree manslaughter, aggravated robbery, kidnapping, and stalking.

The commissioner of the Department of Human Services will not be allowed to set-aside disqualifying records with those crimes.

The department's practice of setting aside the records and subsequently employing people with serious criminal backgrounds at facilities serving mentally retarded citizens and other vulnerable people came under fire last fall in news reports.

The new law will allow the commissioner to continue using discretion in granting set-asides for other criminal offenses. However, the department will be required to inform the

employee's supervisor of the individual's offense.

Rep. Jim Abeler (R-Anoka), the House sponsor, said after an examination of the department's policies, he found that overall, the system works well.

The state conducts thorough criminal background checks, he said, and the department has hired a relatively small number of people who would have otherwise been disqualified due to their criminal pasts. Of those granted set-asides, only two went on to re-offend, he said.

Under the new law, the department will be directed to further review its criminal screening and set-aside policies. The report to the Legislature will be due Jan. 15, 2003.

The state Supreme Court will also be required to make recommendations to the Legislature by July 15, 2003 on how best to track civil actions stemming from sexual abuse incidents.

Sen. Dallas Sams (DFL-Staples) sponsored the bill in the Senate.

HF2757/SF2692*/CH292

★ INDUSTRY

Low-powered technician license

Instead of sending licensed electricians to work on low-powered electrical systems, companies will soon be able to use a "power-limited technician," a person licensed to perform and supervise work on technology circuits and systems.

Effective Aug. 1, 2002, a new law will create licensing requirements, as well as modify, existing statutes to allow this type of electrical work.

The new law clarifies previous law, which the state Board of Electricity interpreted to mean that only licensed electricians could perform any kind of electrical work, even when there was not a safety concern, said Rep. Erik Paulsen (R-Eden Prairie), House sponsor of the law.

Some examples of non-dangerous wiring work are installation of burglar alarms, landscape lighting, telecommunications, stereos, and other low-voltage wiring systems.

Electrical unions had previously opposed the law because they thought electricians would lose some business, according to supporters. But this year the unions agreed with the legislation after supporters in the Senate voted to pass the law.

A power-limited technician is defined in the new law as a licensed person having the experience and knowledge to install, repair, or supervise the installing or repairing of electrical wiring for technology systems. This technician is permitted to supervise up to five unlicensed people, whereas a licensed electrician can supervise up to two people.

Sen. Dan Stevens (R-Mora) sponsored the law in the Senate.

HF1683/SF2150*/CH328

New telecommunications laws

A new law makes minor changes to the state's telecommunications statutes.

Effective Aug. 1, 2002, the new law will instruct the state commerce commissioner to contract with a telephone company that meets the department's approval instead of a local consumer group, as is required in current law, to provide telecommunication relay services to its hearing-impaired consumers.

In addition, the new law will change the name of the fund used to pay for the services to more clearly reflect that the funds provide access for communication-impaired people. "Telecommunication Access for Communication-Impaired Persons" will become "Telecommunications Access Minnesota Fund."

Further, telephone companies will be permitted, upon a customer's approval, to send a customer's bill electronically instead of by paper.

The new law also allows, upon local approval, two Alexandria utilities to formalize a relationship to provide local niche service. The new law says that the city may enter into a joint venture with Runestone Telephone Company and Runestone Electric Association.

PARTING HUGS



PHOTO BY ANDREW VON BANK

After saying goodbye to the body May 19, Rep. George Cassell gets a tearful embrace from Rep. Carol Molnau, who is also leaving. Cassell is seeking a Senate seat, and Molnau is running for lieutenant governor.

The sponsors were Rep. Ken Wolf (R-Burnsville) and Sen. James Metzen (DFL-South St. Paul).

HF3125*/SF2987/CH329

★ INSURANCE

HMO limits go up

Health maintenance organization (HMO) enrollees will be paying more in deductibles and co-payments, under a new law.

The provision is attached to Department of Commerce housekeeping legislation that was signed by the governor May 22.

The maximum annual deductible would be raised from \$1,000 to \$3,000 per person, or \$6,000 per family.

The maximum annual out-of-pocket expense is presently \$3,000 per person and \$5,000 per family. Those amounts would be raised to \$4,500 and \$7,500.

These changes will be effective Aug. 1, 2002.

Effective May 23, 2002, cosmetologists, manicurists, and estheticians from other states can obtain reciprocal licenses.

The new law also increases from four to seven the number of hours each license period that a real estate appraiser must spend in continuing education about the laws regulating standards of professional practice. The provision was in the original bill, amended out on the House floor, but was put back in during a conference committee. This provision is effective for licenses issued or renewed after May 23, 2002.

Another amendment from the House floor did not survive the committee. It would have prohibited suppliers of agriculture products — seed corn dealers or cooperatives — from offering discounts to entice a customer to buy insurance.

Rep. Bill Haas (R-Champlin) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the law.

HF2989/SF3024*/CH387

Credit scoring

A new law will regulate the use of the insurance practice known as “credit scoring” in determining automobile and homeowner policies in the state.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Dave Johnson (DFL-Bloomington), the new law will prohibit insurers from rejecting, canceling, or not renewing automobile or homeowners insurance in whole or in part solely on the basis of credit information.

Credit scoring, which differs from a credit report, attributes a “score” to a person based on personal borrowing and spending habits.

The practice was developed by mortgage lenders to determine the risk of an applicant in defaulting on a loan.

The new law will require insurers who use credit scoring in their underwriting to file the scoring methodology and information that supports the insurer’s use of a credit score with the Department of Commerce.

It will also prohibit credit scoring if the scoring incorporates gender, race, nationality, or religion of an insured person or applicant.

To address concerns of people whose credit histories have been adversely affected by personal circumstances, such as a death to a loved one or a long-term illness, the new law will require insurers to provide reasonable underwriting exceptions upon request by applicants or policyholders.

Insurers will also be prohibited from using a credit score when the applicant’s score is adversely affected by the lack of a credit history.

The new law is effective Aug. 1, 2002.

HF2492/SF2363*/CH357

No more free steaks

The Legislature voted to override Gov. Jesse Ventura’s veto of a bill that will change the legal standard used to pay auto glass claims, making the bill law, effective March 28, 2002.

Sponsored by Rep. Ken Wolf (R-Burnsville) and Sen. James Metzen (DFL-South St. Paul), the new law changes the previous standard by which insurance companies had to pay glass claims from a “competitive price” to “fair and reasonable.”

Previous law required insurance companies to pay market price for glass replacement as determined by a survey of costs charged in communities around the state.

The new law will also prohibit glass replacement companies from offering inducements, such as a box of steaks, to consumers. Prior law restricted such incentives to items with a value of \$35 or less.

In his veto message, Ventura wrote that the bill does not support consumers and consumer choice. He said just taking into account the cost of the repair would ignore important factors such as advertising and service costs and would be detrimental to small shops.

Ventura also said no evidence exists that the bill would cause premiums to decrease.

Wolf said the state changed its laws in 1991 so that auto glass claims were treated differently from auto body claims. The law required insurance companies to pay all “reasonable” costs, which he said led to companies being required to pay the cost of whatever was billed.

A compromise between the auto glass repair and insurance industries led to Wolf

sponsoring the law that created the market survey, but he said that did not work.

According to information provided by American Family Insurance on claims filed between Jan. 1, 2001 and Oct. 31, 2001, the range of the costs was from \$334 to \$1,064. Wolf said that the national average is \$368 and in Minnesota it is \$441.

A compromise addressed concerns expressed by members about the practice of “steering” where insurance companies allegedly point consumers to preferred repair shops.

The new law requires that when an insurer recommends a vendor, the insurer will be required to provide the following disclaimer: “Minnesota law gives you the right to go to any glass vendor you choose, and prohibits me from pressuring you to choose a particular vendor.”

HF2570*/SF2553/CH283

New insurance fraud division

A new law will create an insurance fraud division in the state that will be charged with investigating and prosecuting a crime for which consumers ultimately pay.

Effective Aug. 1, 2002, the new law will authorize the transfer of a small division in the Department of Labor and Industry that currently handles workers’ compensation insurance fraud to the Department of Commerce. The new law provides the framework for a larger division that will handle all types of insurance fraud.

Under prior procedures, local law enforcement authorities handled many of these cases.

No new positions will be created, and no new money is designated for the division in the new law. However, future legislation might advocate for growth of the division.

Insurance fraud is estimated to constitute 10 percent of all claims filed in Minnesota, including auto, health, life, and disability. The average household pays \$1,000 annually due to insurance fraud, officials say.

Under the new law, the division is responsible for initiating an investigation when “there is reason to believe insurance fraud has been or is being committed,” and to report incidents of alleged insurance fraud to law enforcement authorities, such as the attorney general or county attorneys.

The new law also makes it a crime to employ or use a “runner,” “capper,” or “steerer.” The terms, recommended by Attorney General Mike Hatch, describe a person who pays people to bring others to medical clinics to commit insurance fraud related to auto insurance. These actions are currently against the

law, but this provision better equips prosecutors for charging people with crime.

The new law was sponsored by Rep. Greg Davids (R-Preston) and Sen. Linda Scheid (DFL-Brooklyn Park).

HF3497/SF3015*/CH331

Greater Minnesota health coverage

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

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

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

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

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

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

The health commissioner and purchasing coalition will be required to make annual progress reports to the Legislature. A final report detailing the following will be required five years after the project begins:

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

The law is effective April 20, 2002.

HF2935/SF2909*/CH346

Refusal allowed

The Joint Underwriting Association, which provides medical malpractice insurance, now has the ability to refuse coverage to someone perceived to be too high a risk, under a new law.

The new law changes several laws governing the association, and makes minor revisions to insurance statutes.

Created in 1976, the association provides

coverage to doctors and other medical professionals who cannot obtain regular insurance for medical malpractice.

"The purpose (of the association) was to protect the public, but if someone posed a severe risk, (such as) a dangerous person or doctor ... they could continue to practice," said Kris Hasskamp, chair of the Minnesota Joint Underwriting Association and former state representative from Crosby.

The Minnesota association, which also provides liability insurance for various industries, is already allowed to refuse coverage under state law. The organization generally insures businesses that sell liquor, as well as daycare centers and assisted living communities.

While studying the statutes governing the associations after she became chair, Hasskamp found some of the provisions between the two organizations didn't match. So she contacted a lawmaker.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Linda Scheid (DFL-Brooklyn Park), the new law helps the association avoid too much risk.

It also removes a requirement for the commerce commissioner to automatically review association coverage every two years. The commissioner has the ability to decide who the association should and should not be covering.

Under the new law, the department will only be called to review when there is an issue that needs examining. The change will reduce administration costs for the association and the department.

New insurance provisions include a continuation of life insurance through a former employer. Previously, if a person left a job, they could continue receiving life insurance up to 18 months at the same price they paid while employed plus 2 percent. The new law allows the continuation past 18 months for a higher premium.

Also, credit insurance, including credit life and credit disability, can now be sold on non-first mortgage loans on the same basis as other consumer loans. The new law also changes state statutes to conform to federal laws regarding claim forms used between hospitals and clinics and insurance companies.

All changes in the new law are effective April 2, 2002.

HF3492/SF3315*/CH307

Accident victim protection

A new law will clarify that auto accident victims are entitled to receive no-fault medical benefits, effective June 30, 2002.

Previous statute did not clearly state that these victims could receive full medical

benefits for necessary care without the restrictions of managed care requirements.

The new law will prohibit health insurance companies from contracting to provide managed care services to no-fault claimants.

Victims of accidents are generally unaware they are being pushed into managed care provisions, said Rep. John Tuma (R-Northfield), the law's House sponsor. He said the legislation is supported by several medical organizations.

Sen. Dallas Sams (DFL-Staples) was the Senate sponsor.

HF1413/SF1226*/CH274

Accident liability clarification

Sometimes one word can significantly change the meaning or intent of a principle in state law.

Effective May 15, 2002, a new law literally changes one word in the state's insurance laws, specifically statute dealing with automobile liability coverage.

Rep. Greg Davids (R-Preston), who sponsored the measure in the House, said the new law resulted from a situation where a 16-year-old driver borrowed a neighbor's car with permission and was involved in an accident. The driver did not have insurance, but Davids said that usually the young driver would have been covered by her parent's liability coverage.

Prior law stated that in such an incident the insurance company would be required to pay damages arising out of the ownership, maintenance, or use of "a" motor vehicle.

Two lower district courts agreed that the insurance company was obligated to pay the damages under the previous law. But the state Supreme Court overturned the lower courts' rulings and said the statute was vague.

Davids said that in its majority opinion the court stated the Legislature could clarify its intent by using the word "any" instead of "a." "In my opinion 'a' vehicle would mean 'any' vehicle," he said.

The law changes the statute to read "any," and also further clarifies intent by adding a clause that states "including a motor vehicle permissively operated by an insured (party)."

Sen. Linda Scheid (DFL-Brooklyn Park) was the Senate sponsor.

HF2783*/SF2671/CH234

Property insurance limits

Insuring property for more than its value must now amount to the replacement cost, under a new law, effective March 27, 2002.

Previous law stated in excess of "fair value of the property."

Rep. Connie Ruth (R-Owatonna), House

sponsor of the law, said the legislation will help the Department of Commerce.

She said, as an example, an owner of a lake-property building worth \$50,000 on land worth \$150,000 has been asked by land insurers to pay for \$200,000 worth of coverage.

The new law will also prohibit lenders from requiring excessive insurance, and provides that the department may penalize violators.

HF3222/SF2953*/CH295

LAW

★ Temporary driver's licenses

Those who have lost their driver's licenses because of failure to pay child support may soon have a chance to receive a temporary license.

Effective July 1, 2002, a new law will grant a 90-day license to people more than three months behind in child support payments if the person needs a license to get to a job, go to a chemical dependency program, or attend post-secondary classes.

Homemakers who need a license to prevent disrupting their education, medical, or nutritional needs, or the needs of their family will also be eligible for a temporary license.

The new law provides \$95,000 from the trunk highway fund to the commissioner of public safety to pay for the cost of the temporary licenses.

Furthermore, the law makes some technical and clarifying changes to current law regarding payment agreements, and modifies the medical support law so it complies with federal requirements.

Driver's licenses are currently taken away from people who are more than three months behind in child support payments and have not made arrangements to pay.

The one-time license will expire after 90 days and cannot be renewed. Drivers who lose their license will still be required to pay a \$20 reinstatement fee.

Rep. Lynda Boudreau (R-Faribault) and Sen. Thomas Neuville (R-Northfield) sponsored the law.

Boudreau said the change was necessary because people who can't get to work have a hard time paying child support.

About 16,000 drivers have their licenses suspended, but about half of those would not qualify for a temporary license because they are ineligible for other reasons, she said.

HF3393/SF3114*/CH344

★ LOCAL GOVERNMENT

Funding local projects

Gov. Jesse Ventura signed a new law May 22 making a number of changes in the authority of local governments to issue bonds and incur debt.

The new law contains several regional projects, including one that would allow the Metropolitan Council to issue up to \$54 million in bonds to help purchase new buses.

House sponsor Rep. Ron Abrams (R-Minnetonka) said the council requested bonding authority of \$50 million to purchase the vehicles. He said that lawmakers who worked on the issue thought that buying new buses was a better approach than repairing older ones and buying used ones.

The new law also allows Anoka County to issue up to \$12.5 million in bonds to finance the costs of designing, constructing, and acquiring infrastructure and equipment for an 800-megahertz statewide public safety radio system.

The Region Nine Development Commission is given the authority to form a nonprofit corporation to reduce dependence on tax dollars in filling regional service gaps and funding rural programs by improving the region's access to other federal funding sources.

The commission is also authorized to levy an amount sufficient to retire the remaining debt on the Prairieland Exposition Center project in Worthington, under the new law.

Abrams said the alternative to authorizing levy authority was to allow the commission to declare bankruptcy, and that allowing a local unit of government to do that would establish a bad precedent.

An economic development authority is established in the Alexandria region, under the law. The law indicates that one authority would be more effective than multiple existing government entities.

Though there are various effective dates for the different provisions in the new law, most of it is effective May 23, 2002.

The Senate passed the new law 58-0 May 16 and the House passed it the following day by a 121-9 vote. Sen. John Hottinger (DFL-Mankato) is the Senate sponsor.

HF2836/SF2572*/CH390

Disclosing grant applications

Certain public officials would be allowed, as private citizens, to participate in state and federal grant and loan programs, under a new law.

Sponsored by Rep. Larry Howes (R-Walker) and Sen. Yvonne Prettner Solon (DFL-Duluth),

the new law will allow people who serve on local housing and redevelopment authority boards to apply for grants or loans administered by the authority. However, they must first disclose, as part of the official minutes of a meeting, that they have applied for the funds as part of a private development they are involved with.

Effective Aug. 1, 2002, the new law will also require that the individual abstain from voting on the application.

Howes said a new federal rule requires that housing and redevelopment authorities have a representative from the community and that could create an inherent conflict of interest if the resident should want to apply for a grant or loan.

A law was passed during 2001 that allows elected officials in St. Louis County cities with populations of less than 5,000 to apply for federal community development block grants or economic development administration funds after meeting similar disclosure requirements.

HF3509/SF3257*/CH356

Neighborhood organizations

Certain nonprofit neighborhood organizations are allowed greater flexibility in membership voting, under a new law effective Aug. 1, 2002.

Existing laws governing nonprofit corporations require that when a vote is to be taken on matters such as amending the corporate articles or bylaws, the board must notify the voting members of the election date up to 60 days prior to the vote. Only members notified are allowed to vote on the matter.

Sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Jane Ranum (DFL-Mpls), the new law allows neighborhood organizations that are also nonprofit corporations the option of allowing others to vote without meeting the mandatory notice requirement.

The new law allows members who are on a pre-existing membership list or who have a valid driver's license or state identification card with an address in the defined neighborhood boundaries to vote. Members will also be allowed to vote if they can show proof of ownership of a business or property within the neighborhood or have someone to vouch for their residency.

Wagenius said her own neighborhood group, which under prior law had to exclude certain residents from voting because of the nonprofit corporation notification requirements, brought the issue to her.

The new law applies to neighborhood organizations that represent a defined geographic area and have been accepted by a unit of government as the basic planning unit for the area.

It also allows neighborhood organizations that are also nonprofit corporations to use the options offered, but the provisions are not mandatory.

HF3445/SF3238*/CH340

Carlton, Pine county positions

Carlton and Pine counties will be added to the list of counties changing elected positions to appointed ones, under a new law.

The new law, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Becky Lourey (DFL-Kerrick), will allow the Carlton County board, by a resolution approved by 80 percent of its members, to change the recorder position from an elected one to an appointed one.

The law also permits Pine County to use the same process to combine the assessor and recorder positions into one and make the newly created position appointed rather than elected.

Gov. Jesse Ventura signed similar new laws for Polk and Steele counties this year.

Similar to legislation passed in previous years, each of the bills contains a reverse referendum provision that allows voters to petition to request a referendum on the issue.

Hilty said the increasingly technical duties of the positions are reflected in the number of bills that have come forward on behalf of counties.

"If there was a number of people standing in line for county recorder (positions) than we wouldn't be seeing these bills year after year," he said.

The law will take effect upon local approval.
HF2753/SF2590*/CH263

Steele County recorder

A new law will allow the Steele County recorder to become the latest county official that may be appointed rather than elected.

The law, sponsored by Rep. Connie Ruth (R-Owatonna) and Senate Minority Leader Dick Day (R-Owatonna), allows Steele County to change the position to an appointed one by a four-fifths vote of the county board. The measure requires the county to provide voters an opportunity for a reverse referendum on the issue.

The governor also signed similar new laws for Polk and Carlton counties. In 2001, the Legislature approved similar measures for Cass, Goodhue, Hubbard, and Wright counties. Several other counties have received similar authority in previous years.

State law allows all the state's counties to change the positions of auditor, treasurer, sheriff, and recorder to appointed rather than elected by a referendum.

Officials testified that the recorder position has increasingly become more technical in nature, changing the nature of recruitment for the job. The position involves decisions about office operations but has no broad county policy-making authority.

The law is effective upon local approval.
HF3074/SF2834*/CH256

Polk County positions

Candidates for the county recorder and auditor-treasurer positions in Polk County may be able to put away their election brochures, under a new law.

Sponsored by Rep. Bernie Lieder (DFL-Crookston) and Senate Majority Leader Roger Moe (DFL-Erskine), the new law will allow the county board, by an 80 percent vote, to change those two positions so that they may be appointed rather than elected.

The bill is similar to two other new laws signed by Gov. Jesse Ventura allowing Steele and Carlton counties to appoint their recorder positions pending approval by the county board, and allowing Pine County to combine its assessor and recorder positions into one and make the new position appointed.

Because the duties of the positions are becoming more technical, county officials requested the authority to appoint people to the jobs.

Like previous legislation allowing other counties to appoint certain positions, the new law contains a provision that will require the county to provide for a reverse referendum, thereby allowing voters to restore the elected nature of the position by a petition signed by at least 10 percent of registered voters of the county.

The law is effective upon local approval.
HF2652/SF2434*/CH258

Delano Public Utilities Commission

A new law will allow the Delano Public Utilities Commission to expand from three members to five. The measure takes effect upon local approval.

It was the second such law expanding local public utilities authorities of the 2002 session.

The city of Grand Rapids received the same authority from the Legislature in 1999.

Public utility commissions are responsible for the management of publicly owned water and electric utilities. The new law will maintain staggered three-year terms for the Delano commission and will prohibit more than one city council member from serving on the commission at any time.

Rep. Steve Smith (R-Mound), the House sponsor, said that since the commission was

formed in 1936, the city's population has quadrupled and the commission's budget has increased 800 percent. The current budget is around \$2.8 million, which is 50 percent higher than the city's general fund.

Sen. Gen Olson (R-Minnetrista) sponsored the law in the Senate.

HF3202*/SF2801/CH238

Shakopee Public Utilities Commission

A new law will allow the Shakopee Public Utilities Commission to increase in size.

Sponsored by Rep. Mark Buesgens (R-Jordan) and Sen. Claire Robling (R-Prior Lake), the new law will change the commission from three members to five.

Shakopee has seen tremendous growth over the past decade, as has the entire northern Scott County region. The city's population doubled during the last decade, Buesgens said, and likely will double again by 2010.

The commission is responsible for the management of publicly owned water and electric utilities in the city. Its members serve three-year staggered terms and are appointed by the city council.

The new law maintains the staggered terms. One position would expire on April 1, 2004, while the second additional position would expire on April 1, 2005.

Taking effect upon local approval, the new law will prohibit more than one city council member from serving on the commission.

HF2624*/SF2441/CH226

Water tank repair

A new law will allow municipalities greater flexibility in the way they pay for repair and maintenance of water tanks.

House sponsor, Rep. Larry Howes (R-Walker), said the measure allows municipalities, either through direct negotiation or a request-for-proposal process, to enter into multi-year professional service contracts for work on water tanks.

Howes said the law will also allow municipalities to spread payments over a period of time rather than paying the entire costs up front.

Effective May 2, 2002, the new law requires the contracts to contain a provision that a municipality is not required to make total payments in a single year that exceed the water utility charges received by the municipality that year.

Another contract provision requirement, under the new law, is that the work performed be done under the review of a professional engineer licensed by the state.

The law will also allow the city of Walker to enter into an agreement with either the Department of Human Services or the Department of Administration to allow it to take over the maintenance and operation of a water tower owned by the state and located at the Ah-Gwah-Ching nursing home facility.

Sen. Dan Stevens (R-Mora) was the Senate sponsor.

HF2995/SF3168*/CH358

METRO AFFAIRS

Livable communities program

A new law will allow cities to opt out of a Metropolitan Council program rather than having to opt in every year.

The new law, sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Ann Rest (DFL-New Hope), will allow cities to remain in the council's Livable Communities Program until they opt out.

Holberg said city councils were previously required to pass a resolution each year choosing to be a part of the program. The law reverses that process by allowing cities, once they have enrolled, to remain in the program until they vote to opt out.

The program awards grants to cities to clean up polluted land, creates affordable housing opportunities, and stimulates development that incorporates efficient use of land, a range of housing types and costs, and access to transit and open space.

The new law will also allow the grants to go to development authorities. Under previous law the grants were required to go directly to a municipality.

Development authorities include redevelopment authorities, economic development authorities, and port authorities. The law requires that a grant to a development authority must be used for a project in the participating municipality.

The new law is effective March 22, 2002.

HF2899*/SF2711/CH246

Asphalt plant partnership

A new law will allow the city of Minneapolis to partner with a private company in building an asphalt plant.

Currently there are two existing asphalt plants within two blocks of each other in a Minneapolis neighborhood.

Sponsored by Rep. Dennis Ozment (R-Rosemount) and Sen. Linda Higgins (DFL-Mpls), the new law allows the city to enter into negotiations with a company to consolidate the two operations. Ozment said

SENATE SEEKER



PHOTO BY ANDREW VON BANK

Thirteen terms in the House are enough for Rep. Wes Skoglund, whom members applaud and offer handshakes to after his May 19 retirement speech. Skoglund, who is paired with Rep. Jean Wagenius in the new House districts, will seek a Senate seat.

the public/private partnership would allow for cleaner asphalt production in the future.

Though the city has been discussing the prospect with Bituminous Roadways in Minneapolis, the law does not specify which company the city must ultimately contract with.

The new law will allow the joint venture to occur but will require the city to issue a request for proposals to allow competitive bidding for the project.

Officials representing the private company testified that the bill ensures a competitive process so that there is no advantage to any potential bidders, and it will likely save 40 percent to 50 percent in asphalt production costs.

The new law requires the joint venture to provide a lower cost and reliable supply of asphalt for a 25-year period when compared to the current city facility.

HF2796*/SF2670/CH264

Parking limitations lifted

Visitors needing to complete business at Hennepin County offices located in Minneapolis might have more parking options, under a new law.

Effective Aug. 1, 2002, the new law allows the county to acquire and improve off-street parking facilities that serve public buildings, used for county purposes and under the jurisdiction of the county board.

Originally passed in 1969, the existing law

limits the county to ownership of one off-street parking facility within the city of Minneapolis.

Rep. Ron Abrams (R-Minnetonka), the House sponsor, said the restriction on the county is the only one like it in the state. He said the law will allow the county to potentially provide more parking closer to the Hennepin County Medical Center.

The law will also remove a five-year limit currently in place for county-lease contracts of real property.

Sen. Ann H. Rest (DFL-New Hope) was the Senate sponsor.

HF2906/SF2568*/CH359

MILITARY

Benefit clarification

Minnesota's military personnel will receive the benefits of a federal act while performing state active duty, under a new law.

The law, sponsored by Rep. Greg Blaine (R-Little Falls) and Sen. Steve Murphy (DFL-Red Wing), aligns the state statute to conform to the federal Soldiers and Sailors Relief Act of 1940.

That act provides protections for military personnel including reduced interest rates on mortgage payments and credit card debt, protection from eviction, and temporary suspension of certain civil court proceedings such as bankruptcy, foreclosure, and divorce.

Under previous law, if the state's military members were called into action under Title 32 the benefits of the act did not apply. That is because that particular section designates the service as federally funded state active service.

If members are called to duty under Title 10, the federal active service provision, they did qualify for the benefits.

Military personnel that were called to beef up security at the airport following the events of Sept. 11 were called up under Title 32.

The new law is effective retroactive to Sept. 11, 2001.

HF3274*/SF3068/CH284

Called to duty

Members of the Minnesota National Guard can be called to duty by the governor for state active service or federally funded state active service. Members can also be called to action by the president for federal active service.

A new law changes state law regarding the code of military justice for guard members called to duty by the governor so that it conforms more closely to federal code.

The new law deletes obsolete statutory language and clarifies and updates language and terms.

Judge Advocate Gen. John Brossart, a lieutenant colonel in the Minnesota National Guard, testified that most of the prior law was adopted in 1963 with amendments passed in 1974 and 1986.

As an example of bringing the state code more into conformity with the federal Uniform Code of Military Justice, is a provision of the new law relating to the code's definition of "desertion" and the procedure to deal with that violation. Desertion under the previous law contained a clause that defined the act as quitting a member's unit, organization, or place of duty with intent to avoid hazardous duty or to shirk "important" service. The new law removes the word "important" from the definition.

Under the same section the law clarifies that those presumed in violation of the definitions of desertion are not merely "guilty" but rather "shall be punished as a court-martial may direct."

Effective Aug. 1, 2002, the new law is sponsored by Rep. Rob Eastlund (R-Isanti) and Sen. Leo Foley (DFL-Coon Rapids).

HF3221/SF3145*/CH308

★ RECREATION

Border changes

State park boundaries will be adjusted, under a new law effective May 16, 2002.

Sponsored by Rep. Doug Peterson (DFL-Madison) and Sen. Don Samuelson (DFL-Brainerd), the new law will allow the Department of Natural Resources to acquire permanent stream easements to improve

fishing access and wildlife habitat.

The new law also calls for multi-use, dual treadway trails on the Casey Jones Trail near Pipestone in southwestern Minnesota and Cuyuna Lakes Trail in Crow Wing and Aitkin counties in northern Minnesota.

A number of state trails and parks gain acreage under the law, including Crow Wing State Park near Brainerd, Myre-Big Island State Park near Albert Lea, and Big Bog State Recreation Area in Beltrami County in north central Minnesota.

Meanwhile, the Big Stone Lake State Park in southwestern Minnesota near the South Dakota border will lose land.

The Richard J. Dorer Memorial Hardwood State Forest in southeastern Minnesota and the Pillsbury State Forest near Brainerd will also gain land.

The Cuyuna Country State Recreation Area under development about 15 miles northeast of Brainerd will both lose and gain acreage.

A number of counties will also be permitted to sell surplus, tax-forfeited, or trust lands, under the new law.

HF3025/SF2727*/CH366

★ RETIREMENT

Pension revisions

A new law signed by Gov. Jesse Ventura May 22 will make changes to public pension laws reflecting recommendations made by the Legislative Commission on Pensions and Retirement.

Each year the commission, which consists of five members each from the House and Senate, makes recommendations to the Legislature reflecting its study and investigation of state public pension plans.

A provision of the new law updates existing laws that became obsolete when most local police and paid firefighter relief associations merged into the Public Employees Retirement Association (PERA).

Existing language in pension laws is restructured because only four local associations — the Fairmont Police, Minneapolis Fire, Minneapolis Police, and Virginia Fire — remain.

Retroactive to July 1, 2002, the new law will allow members of PERA, the Minnesota State Retirement System, or the Teachers Retirement Association to obtain service credit for strike time for up to one year. To obtain credit the employee must pay an amount equal to the employee and employer contributions plus interest.

Members of a retirement plan administered by PERA who are receiving temporary workers compensation benefits are allowed to receive service credit by making specified payments to the association under the law.

FAMILY MAN



PHOTO BY ANDREW VON BANK

Rep. James Clark gets a hug from a colleague after his May 19 retirement speech. A member since 1998, Clark is retiring to spend more time with his wife and two daughters.

The new law also requires the state to make unpaid retirement fund contributions on behalf of 15 charter schools that closed prior to April 1, 2002. The payment amount will be deducted from the total amount otherwise payable as state building lease aid to charter schools.

Legislators whose service is not covered by Social Security will be allowed to elect future and retroactive Social Security coverage for service time, under the new law. The provision requires legislators electing the option to make the employer and employee Social Security contributions.

The new law passed the House 118-9 and the Senate 61-4 on May 18. Rep. Harry Mares (R-White Bear Lake) and Sen. Dean Johnson (DFL-Willmar) were the sponsors.

There are various effective dates but most provisions are effective May 23, 2002.

HF3127*/SF2984/CH392

LTV pension concerns

A resolution, signed by Gov. Jesse Ventura, claims laid-off LTV steel mining workers were given “virtually no notice” of the termination of their pension plan and calls for action on their behalf.

The resolution states that the Minnesota Legislature urges the pension corporation to delay terminating the LTV Steel Mining Co. Pension Plan until March 2003 in order to enable the employees of LTV and the state “to study possible alternatives to a Pension Benefit Guaranty Corporation distressed termination.”

Besides the pension corporation, the president of the U.S. Senate, the speaker of the U.S. House of Representatives, and several federal administrators will receive a copy of the resolution.

The pension corporation gave plan participants 45 days notice of its intention to terminate the pension plan, based on their analysis that the plan is no longer fully funded, according to the resolution. House rules were waived to pass the resolution in a matter of days.

The LTV mining plant in Hoyt Lakes shut down in August 2000, and went bankrupt in February 2001.

In March 2002 the Pension Benefit Guarantee Corporation, the government’s pension insurance program, announced that it will guarantee basic pension benefits for participants in the three underfunded LTV plans, affecting 82,000 workers and retirees of the company.

The guarantee corporation estimated in March that the three plans were underfunded by about \$2.2 billion.

About 3,500 Minnesotans are either collecting or are eligible for a fully funded pension from the LTV plan addressed in the resolution.

Rep. Tom Bakk (DFL-Cook) sponsored the resolution in the House, and Sen. David Tomassoni (DFL-Chisholm) carried it in the Senate.

HF3411/SF3207*/R7

Retaining engineering titles

Retired engineers will be allowed to use their profession’s title under a new law effective Aug. 1, 2002.

Rep. Rich Stanek (R-Maple Grove), the House sponsor, said the issue was brought to him by a constituent but applies to people throughout the state.

To ensure public safety and to minimize confusion, due in part to deceptive advertising, current licensing laws for people who practice architecture, landscape architecture, professional engineering, professional geoscience, land surveying, and interior design prohibit the use of the titles unless the person is properly licensed and certified.

Those professions are licensed by the state Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design. The 21-member board is appointed by the governor and consists of members of the various professions.

Previous law specified that individuals who are retired from one of the professions are restricted from using the title. The new law allows retention of the title, presuming the individual held a valid license at the time of retirement.

Stanek said that his constituent, who was an engineer for more than 40 years, does a large amount of volunteer work at schools and various other functions and would like to refer to himself as a retired engineer.

The Senate sponsor was Sen. Warren Limmer (R-Maple Grove).

HF2629*/SF2913/CH239

SAFETY



Sparklers legalized

A new law will allow the sale and use of some fireworks in the state.

Under the measure, people age 18 and older will be allowed to purchase certain fireworks, including sparklers, snakes, and glow worms, smoke devices, and trick noisemakers, for use on private property in the state.

Effective April 30, 2002, the new law requires buyers to provide photo identification at the time of the purchase.

Sponsored by Rep. Tom Hackbarth (R-Cedar) and Sen. Debbie Johnson (R-Ham Lake), the new law is a result of a conference committee compromise.

The original bill dealt with extending volunteer firefighters’ benefits by prohibiting employers with at least 10 employees from taking disciplinary action against an employee who misses time while performing volunteer fire fighting duties. However, those provisions were removed in conference committee.

The House version of the bill would have permitted the sale and use of federally approved fireworks during periods around Independence Day (July 4) and New Year’s Day. The new law contains no date restrictions.

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

Fireworks legalized under the measure include wire or wood sparklers of not more than 100 grams of mixture per item, and other sparkling items that are non-explosive, non-aerial, and contain 75 grams or less of chemical mixture per tube, or a total of 200 grams or less for multiple tubes.

HF2525/SF2960*/CH350

Make way for emergency vehicles

Drivers who don’t pull over for emergency vehicles could soon face harsher penalties.

A new law will allow emergency vehicle drivers to call in the license plate numbers of drivers who get in their way.

The new law makes it a petty misdemeanor for drivers who simply refuse to yield because they don’t know the law or don’t notice the vehicle and a misdemeanor for those who intentionally impede the emergency vehicle.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul) sponsored the law.

Entenza said the law should be changed because drivers are refusing to yield to emergency vehicles more and more frequently.

The new law gives emergency vehicle drivers similar authority to call in license plates that school bus drivers have to report drivers who drive through a bus stop sign, he said.

Also included in the bill is a provision that allows law enforcement personnel to pass through red lights or stop signs while either flashing the vehicle’s lights or sounding its siren.

Prior law required emergency vehicles to do both while passing through an intersection.

Supporters said the change would allow police the ability to sneak up on criminals who may otherwise flee the scene of a crime when they hear sirens approaching.



St. Paul Fire Chief Tim Fuller testified before the House Crime Prevention Committee Feb. 12 in support of a measure that gives police greater authority to ticket people who refuse to yield to emergency vehicles. The governor signed the bill into law.

That part of the bill went into effect April 6, while other provisions will be effective Aug. 1, 2002.

HF2706*/SF3076/CH319

★ TRANSPORTATION

Running lights, weight limits

Gov. Jesse Ventura signed a law May 17 that modifies various transportation and public safety laws.

Aside from making many technical and conforming changes, the new law allows motorcycles to legally drive through red lights, creates special license plates for veterans, and changes rules regarding enforcement of commercial vehicle weight limits.

A provision heard in committee as HF3226, sponsored by Rep. Tom Workman (R-Chanhassen), will allow motorcyclists to go through red lights when their motorcycles aren't detected by the stoplight.

Veterans of any war will also be able to order special "Proud to be a Veteran," license plates for a one-time fee of \$30. Proceeds from the plates will go to the state's World War II memorial fund.

The law will also allow trucks hauling unfinished lumber to exceed the allowed weight restriction by 5 percent without penalty, instead of the current 4 percent, or 1,000 pounds. Supporters of the provision have said

lumber trucks should have more leeway because the weight of wood can change depending on the level of moisture in the wood.

Related measures will limit inspections of commercial vehicles if there is not probable cause or if the vehicle has been inspected in the past three months and will only allow law enforcement to require a truck to be weighed if no more than two other trucks are in line.

The law will also require the state Department of Transportation to study seasonal load restrictions in the northern part of the state.

It will also allow up to \$400,000 of trunk highway money to be spent on bus service during construction work on the Wakota Bridge in South St. Paul. Current law prohibits trunk highway funds from being spent on bus service.

Another provision would clear the way for online driver's license renewals by allowing the Department of Public Safety to adopt rules related to how it administers eye exams when people apply for license renewals.

An exception to a requirement that airports match any federal funds was also included. The one-time exception will allow airports to receive federal aid as part of the federal anti-terrorism package without having to kick in local funds.

The law is effective May 18, 2002.

Rep. William Kuisle (R-Rochester) and Sen. Steve Murphy (DFL-Red Wing) sponsored the law.

HF3203*/SF3233/CH371

Policy provisions signed

Several transportation policy changes to state statute are contained in a new law, effective Aug. 1, 2002.

Among the law's many provisions is an exception to the moratorium on state consultant contracts.

Rep. William Kuisle (R-Rochester), the House sponsor, said the law will allow the Minnesota Department of Transportation (MnDOT) to continue road construction projects that will be paid for by general fund dollars appropriated by the 2000 Legislature.

Also included in the new law are provisions to allow MnDOT to purchase land for future highway projects, allow advance funding for certain highway construction projects, encourage the use of agricultural-based de-icing solution for state roads, and keep the Stillwater bridge project alive.

A provision also recognizes an agreement reached between the Minnehaha Creek Watershed District and MnDOT concerning Camp Coldwater Springs near Fort Snelling. A law passed in 2001 to protect the spring halted construction at the intersection of

Highways 55 and 62. The agreement will allow construction to resume without affecting the spring's flow.

Several school bus provisions are also part of the new law. One will prohibit buses from parking near air-intake systems of schools to prevent students from breathing diesel fumes. Another will allow the state's public safety commissioner to cancel the endorsement of school bus drivers who have been convicted of a gross misdemeanor or a series of violations that show the person is a risk to public safety.

Previous law denied a school bus endorsement to those who have been convicted of a gross misdemeanor within the past five years, as well as those who have been convicted of a felony, drug and alcohol violations, or invasion of privacy.

Sen. Dean Johnson (DFL-Willmar) sponsored the law in the Senate.

HF3199/SF3298*/CH364

Disclosing vehicle information

A new law will allow limited access to motor vehicle records kept by the state.

Effective Aug. 1, 2002, the new law will allow the commissioner of public safety to give people or organizations access to motor vehicle records if the information requested is related to the operation of a motor vehicle or public safety.

It will not change the law regarding driver's license records.

Under the law, the commissioner will have the authority to deny such requests if he or she feels the party asking for the information is likely to use the data for illegal, improper, or non-investigative purposes.

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

Media representatives have said such information is needed to do investigative public interest reports, such as stories about chronic drunken drivers.

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

Sen. Don Betzold (D-Fridley) was the Senate sponsor.

HF2649/SF2448*/CH368

Flashing red for funerals

A new law will allow the driver of a funeral home motorcycle or vehicle to use a flashing red light to warn drivers that a funeral procession is following.

The change is effective Aug. 1, 2002.

Rep. Jim Knoblach (R-St. Cloud), the House sponsor, said police in Greater Minnesota often do not have time to lead funeral processions, leaving funeral home employees to do so.

Since funeral home vehicles were previously not allowed to use a flashing red light, it was often dangerous for drivers when the procession passed through an intersection, he said.

In the past, drivers could recognize a funeral procession because cars in the procession would have their lights on, Knoblach said. However, many cars now drive with their lights on all the time as a safety feature, so other drivers may not realize when cars are part of a procession.

An earlier version of the law called for funeral homes to be able to control traffic lights like law enforcement and emergency vehicles, but the House removed that provision.

The Senate sponsor was Sen. Dave Kleis (R -St. Cloud).

HF3076/SF2612*/CH316

Street sweeper licensing

Motorists are used to seeing street sweepers along the side of the road, wiping away the remnants of the long winter or a community event. But they might look twice if they saw street sweepers pulled over by law enforcement for license violations.

A new law ensures that street sweepers are not subject to vehicle license requirements.

Effective Aug. 1, 2002, the new law will clarify that street sweepers are classified as special mobile equipment and are therefore exempt from licensing and taxation.

Street sweeping businesses offered testimony during the legislative session suggesting that street sweepers were pulled over and detained for license violations.

Prior state law does not specifically require street sweeping vehicles to be licensed, like it does for automobiles, trucks, and other equipment.

However, it did not specifically include street sweepers as special mobile equipment, either. Law defines special mobile equipment as "every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway."

The new law clarifies that street sweeping equipment does not require licenses for

operation, though drivers must still be licensed under state law and must also adhere to traffic laws.

Rep. Tom Workman (R-Chanhassen) and Sen. Dave Johnson (DFL-Bloomington) sponsored the law.

HF3189*/SF3135/CH250

VETERANS



Veterans home admission

A new law will change the criteria used to determine a veteran's eligibility to qualify for residence in the state's veterans homes.

Under previous requirements, state tax refunds and rebates could not be considered as means of support when a veteran was applying for admission into a home. Earnings that a resident received from participating in a work therapy program were also excluded.

The new law, sponsored by Rep. Sondra Erickson (R-Princeton) and Sen. Dan Stevens (R-Mora), includes federal tax rebates among the admission criteria that cannot be considered when determining income.

Erickson said the law will allow veterans to get into the homes more easily.

The state has five veterans homes located in Fergus Falls, Hastings, Luverne, Minneapolis, and Silver Bay.

The new law is effective for rebates issued after June 30, 2001.

HF2647/SF2569*/CH313

Minnesota State Agencies

(Area code 651)

Administration	296-6013
Agriculture	297-2200
Children, Families and Learning	582-8200
Commerce	296-4026
Corrections	642-0200
Economic Security	296-3644
Employee Relations	297-1184
Job Information	296-2616
Finance	296-5900
Health	215-5803
Human Rights	296-5663
Toll Free	1-800-657-3704
Human Services	296-6117
Labor and Industry	296-6107
Military Affairs	282-4662
Natural Resources	296-6157
Pollution Control Agency	296-6300
Public Safety	296-6642
Driver and Vehicle Services ...	296-6911
Fire Marshal	215-0500
Alcohol and Gambling Enforcement Division	296-6979
State Patrol	297-3935
Public Service	296-5120
Revenue Taxpayer Assistance	296-3781
Toll Free	1-800-652-9094
Trade and Economic Development	297-1291
Office of Tourism	296-5029
Transportation	296-3000
Veterans Affairs	296-2562
State Information	296-6013

FINAL FAREWELL



PHOTO BY ANDREW VON BANK

Colleagues applaud Rep. Doug Peterson after his May 19 retirement speech. After six terms in the House, Peterson has accepted a position as the president of the Minnesota Farmers Union.

Editor's note: This section includes summaries of all proposals that were vetoed in full or line-item vetoed this year, with the exception of the bonding law (see p. 37) and the second budget-balancing law (see p. 38).

★ BUDGET

First round of cuts overridden

The Legislature voted to override Gov. Jesse Ventura's veto of the budget balancing bill that took care of the first \$1.95 billion of a \$2.3 billion projected deficit for the 2002-03 biennium.

The Department of Finance issued an updated budget forecast in February that increased the anticipated deficit by more than \$400 million. A subsequent budget-balancing law reduced the budget for the biennium.

Most of the law's provisions took effect March 1, 2002.

The new law will use \$1.59 billion from various state reserve accounts and one-time spending reductions and \$374 million in permanent spending cuts to reduce state budgets by the end of the 2003 fiscal year.

In his veto message, Ventura called the bill "irresponsible" because it depletes the budget reserves without providing a plan to replace them, which could have a negative effect on the state's bond rating. Ventura wrote that unless significant revenues were raised or there

were "drastic cuts to education and local government" in subsequent legislation addressing the deficit, the state would be set up for an "even more severe crisis next year."

Budget cuts in the law, sponsored by Rep. Rich Stanek (R-Maple Grove) and Sen. Doug Johnson (DFL-Tower), are taken primarily from health and human services programs — a total of \$95.9 million. Some cuts, including those to State Operated Services, were restored in the subsequent budget-balancing law.

The new law will cut \$15 million in the area of K-12 education and \$50 million for higher education. In his budget balancing proposal Ventura recommended \$100 million in cuts to K-12 education for 2002-2003 and \$70 million for higher education.

Early childhood education funding will be cut by \$4 million, under the law, some of which will be replaced by federal dollars.

In his veto message, Ventura went beyond the budget reserve concerns to criticize the law because it doesn't directly address the debt by trimming local government aids. He also suggested state employee hiring freezes and cutting professional services contracts puts an undo burden on the state, which is already bearing nearly all the costs for the deficit.

He was also critical of the language in the law that removes inflationary gauges for planning future budgets.

"Removing estimated inflation from our state forecast simply lowers our financial management standards but it doesn't mean that inflation won't happen," Ventura wrote.

"What it does mean is that those who put together the next budget will have to make budget cuts or raise taxes just to maintain current service levels."

HF351*/SF254/CH220

★ CONSUMERS

Real estate filing fees

A new law will extend the life of a real estate task force despite the veto of Gov. Jesse Ventura.

The House and Senate voted to override Ventura's veto of a bill May 16, thereby authorizing an increased fee for filing real estate documents.

Rep. Al Juhnke (DFL-Willmar), the House sponsor of the measure, said he believed that misinformation and miscommunication within the administration led to the veto.

He said the Electronic Real Estate Recording Task Force, a group operated by the Secretary of State, brought the law forward.

The group was created by the 2000 Legislature to study and make recommendations regarding the implementation of a system for electronic filing and recording of real estate documents.

In real estate title law there are two systems: abstract, in which a private third party, such as a lawyer, makes determinations regarding the chain of real estate ownership over the property's history, and Torrens law, which certifies that the parties who currently own or have mortgages or other interests in the property.

Real estate documents related to abstract property are filed with the county recorder, and Torrens documents are filed with the county registrar of titles.

Funding for the task force was originally provided in 2000 by a temporary 50-cent increase in the surcharge on filing abstract property documents. The law will impose the same surcharge on the filing of Torrens deeds, which were inadvertently omitted from the 2000 legislation.

Juhnke said the increased surcharge will result in total revenue collected from the fee of \$657,000 in 2004.

The law will also extend the life of the task force, due to sunset June 30, 2003, for another year.

Ventura wrote in his veto message that it is unnecessary to extend the surcharge paid by homebuyers and sellers for another year. He wrote that if the bill were not enacted, the task force would be required to finish its work within the original timeline and budget.



House Speaker Steve Sviggum, at microphones, is surrounded by members of the House, Senate, press, and lobbyists at a Feb. 19 news conference as he announces an agreement between the House and Senate on a bipartisan budget-balancing proposal. Gov. Jesse Ventura vetoed the bill, but the Legislature voted to override the veto.

The measure passed the House 110-11 May 8 and 55-0 in the Senate the same day. Sen. Steve Kelley (DFL-Hopkins) was the Senate sponsor.

HF2573/SF2707*/CH365

★ EDUCATION

Pledge bill vetoed

Claiming that patriotism cannot be legislated, Gov. Jesse Ventura vetoed a bill May 22 that would have required public and charter school students to recite the Pledge of Allegiance at least once a week.

"Patriotism comes from the heart. Patriotism is voluntary. It is a feeling of loyalty and allegiance that is the result of knowledge and belief. A patriot shows their patriotism through their actions, by their choice," Ventura wrote in his veto message.

"There is much more to being a patriot and a citizen than reciting the pledge or raising a flag," he wrote.

Ventura went on to say that patriots serve, vote, pay attention to the actions of government, speak out when needed, and "teach their children about our history, our precious democracy and about citizenship."

"No law will make a citizen a patriot," he said.

Both the House and Senate had overwhelming support for the bill, voting 116-11 and 46-10, respectively. The bodies met in a conference committee to work out the difference between the bills.

The Senate had language detailing what should be included in civics education, which would be taught in addition to reciting the pledge. The bill doesn't list specifics, but just says that "public and charter schools must set aside time each year for civics education that includes the history and reasons for reciting the pledge."

The committee primarily discussed a Senate provision that would have required teachers to lead a discussion about the history and reason for recitation of the pledge. It also would have added that teachers must explain to the class that students not participating in reciting the pledge may elect not to do so and may not be considered "unpatriotic."

But that language was not included in the final version of the legislation, which disappointed some members.

"There's no language that requires information to students that it is not mandatory to say the pledge and various reasons that people have to not say the pledge," Rep. Phyllis Kahn (DFL-Mpls) said on the House floor May 17.

Rep. George Cassell (R-Alexandria), the

House sponsor, responded that the bill would require school handbooks to include a statement regarding students' rights and responsibilities.

School boards would have had the ability to waive the requirement to recite the pledge and the option to form their own policy regarding the recitation.

Sen. Mady Reiter (R-Shoreview) was the Senate sponsor.

HF2598*/SF2411/CH391

Teacher insurance plan

The Legislature overrode Gov. Jesse Ventura's veto to make law a \$1.3 million allocation to create a study and plan for a statewide teacher health insurance plan.

"I do not feel that this study can be justified at a time of critical budget deficits and cuts in state government and state services," Ventura wrote in his veto message.

The money will pay for staff, actuarial consulting, and legal expenses. A 10-person labor-management group will examine several options for a statewide pooling arrangement to lower risk, especially for teachers in small districts.

The House bill originally called for \$200,000 to be used for the study's plan and design, which would have come from the tobacco endowment fund. But the House sided with the Senate for the final version, allocating \$670,000 for each of the next two biennia.

Ventura also criticized the legislation for trying to accomplish what has already been done.

"There have been several previous studies of statewide pooling concepts ... (this) will not tell us anything we don't already know," he wrote.

The new law also includes a provision allowing proceeds from the sale of raffle tickets at school events to be used by schools for transportation costs.

The House and Senate both voted to override the veto May 18, by tallies of 110-23 and 48-17, respectively. Rep. Greg Davids (R-Preston) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the law.

HF1868/SF1755*/CH378

★ ENVIRONMENT

Reporting changes

Gov. Jesse Ventura vetoed a bill that would have changed some government auditing report procedures.

Under existing law, local units of government must report all revenue collected from

waste management fees, together with interest earned on the fees and how the revenue is used, to the state auditor.

The bill stipulated that the reports would have been due annually and it would have required them to be sent to the Office of Environmental Assistance rather than the state auditor.

It would also have changed another separate filing requirement involving forfeited property in criminal proceedings. Currently, agencies provide a monthly written record of each forfeiture incident to the state auditor. Required information on the report includes the amount forfeited, the date, and a brief description of the circumstances involved.

The report also includes a list of the number of firearms forfeited, along with the make, model, and serial numbers of those firearms.

By law the auditor is required to annually make a report on the information to the Legislature.

The bill would have required that information be filed with the Office of Strategic and Long Range Planning rather than the auditor.

Finally, the bill would have repealed a requirement that local government expenditures paid for legal services to defend the entity from lawsuits and amounts paid in voluntary settlements or judgments be reported annually to the state auditor.

In his veto message, Ventura wrote that he had "serious reservations" about transferring responsibilities from one state government entity to another without providing funding and staffing changes to make sure the work can get done.

Ventura also expressed concern that with the current hiring freeze passed as part of the law providing the first phase of budget cuts, the Office of Strategic and Long Range Planning could not handle the additional work.

Rep. Dennis Ozment (R-Rosemount) and Sen. Ann H. Rest (DFL-New Hope) sponsored the bill.

HF3506/SF3084*/CH309

★ GOVERNMENT

Public TV veto

Gov. Jesse Ventura vetoed a bill that would have provided \$7.8 million to public television stations to assist them with a conversion from analog to digital signals.

However, the Legislature overrode the veto, making the measure law.

The law will also provide \$7.8 million in bonds to the Metropolitan Council for design and construction of bus garages.

A mandate from the Federal Communications



Minnesota public television stations will receive \$7.8 million to aid the conversion to a digital signal after the House and Senate overrode Gov. Jesse Ventura's veto.

Commission requires that all public television stations convert to a digital signal by May 2003.

Beginning in 2003, stations will still be able to broadcast with an analog signal provided they have a digital signal, as well. Once 85 percent of the homes in the station's market are capable of receiving a digital signal, the station will be required to stop using its analog transmissions.

The public television grant was provided in the state government finance law passed during the 2001 special session. The law required the Department of Administration and the Minnesota Public Television Association to negotiate an agreement specifying uses for digital capability to serve state and local government needs before the grants could be distributed.

That stipulation was included in part to address the governor's 1999 veto of a \$113,000 appropriation to public television stations. Ventura said that veto was based on his view that digital TV conversion should be funded by non-state sources.

In his veto message of the \$7.8 million appropriation, Ventura wrote that the bill doesn't provide an adequate level of direct benefit for the state given the investment being made. He said the bill "adds to the state's obligations at a time when we have depleted our reserves and there is still a gap between revenues and expenditures, both in the current budget and the next."

The law will fund the public television appropriation by transferring a general fund appropriation to the Met Council for the bus garages. The Department of Finance would then sell bonds and appropriate the proceeds to the council.

Rep. Dave Bishop (R-Rochester) and

Sen. Keith Langseth (DFL-Glyndon) sponsored the measure.

HF197*/SF107/CH280

INSURANCE



No more free steaks

A veto by Gov. Jesse Ventura of a bill changing the laws relating to auto glass insurance to more closely align them with other automotive repairs did not hold up.

The Legislature voted to override the veto, making it law, effective March 28, 2002.

Sponsored by Rep. Ken Wolf (R-Burnsville) and Sen. James Metzen (DFL-South St. Paul), the new law changes the previous standard by which insurance companies had to pay glass claims from a "competitive price" to "fair and reasonable."

Previous law required insurance companies to pay market price for glass replacement as determined by a survey of costs charged in communities around the state.

The new law prohibits glass replacement companies from offering inducements, such as a box of steaks, to consumers. Prior law restricted such incentives to items with a value of \$35 or less.

In his veto message, Ventura wrote that the bill does not support consumers and consumer choice. He said just taking into account the cost of the repair would ignore important factors such as advertising and service costs and would be detrimental to small shops.

Ventura also said no evidence exists that the bill would cause premiums to decrease.

Wolf said the state changed its laws in 1991 so that auto glass claims were treated differently from auto body claims. The law required

insurance companies to pay all "reasonable" costs, which he said led to companies being required to pay the cost of whatever was billed.

A compromise between the auto glass repair and insurance industries led to Wolf sponsoring the law that created the market survey, but he said that did not work.

According to information provided by American Family Insurance on claims filed between Jan. 1, 2001 and Oct. 31, 2001, the range of the costs was from \$334 to \$1,064. Wolf said that the national average is \$368 and in Minnesota it is \$441.

A compromise addressed concerns expressed by members about the practice of "steering" where insurance companies allegedly point consumers to preferred repair shops.

HF2570*/SF2553/CH283

BILL INTRODUCTIONS

HOUSE FILES 3735-3741

Friday, May 17

HF3735—Jacobson (R)

Taxes

Homesteads owned by persons at least age 65 valuation increase prohibited if income standard is met.

HF3736—Folliard (DFL)

Local Government & Metropolitan Affairs

Hopkins tax increment financing district extension authorized.

Saturday, May 18

HF3737—Davids (R)

Taxes

Volunteer firefighter, emergency medical technician, and first responder income tax deduction provided.

HF3738—Jennings (DFL)

Regulated Industries

Energy parks and energy infrastructure training centers established, and money appropriated.

HF3739—Olson (R)

Transportation Policy

Minnesota regulated public transit utilities act adopted.

HF3740—Evans (DFL)

Commerce, Jobs &

Economic Development Policy

Check-printing software with the ability to print with MICR-encoded ink sale prohibited.

HF3741—Seifert (R)

K-12 Education Finance

Statewide education testing results made available to school districts.

Keeping costs down

Ventura line-item vetoes dozens of projects from all over the state to keep bonding amount at 'a reasonable level'

BY THERESA STAHL

Gov. Jesse Ventura gave his pork stamp and veto pen a workout May 22 when he exercised his ability to line-item veto projects in the bonding bill.

He left in more than \$500 million in projects, vetoing just under \$400 million.

In his veto message, Ventura said he knows every request is important to its advocates and many Minnesotans.

"However ... the Legislature spent too much money on capital projects and therefore I felt compelled to bring the total cost of the bill down to a reasonable level," he wrote.

The Legislature has adjourned for the session, so there is no chance of overriding the deletions.

Rep. Phyllis Kahn (DFL-Mpls) blamed the bonding conference committee for not coming to an agreement in time for the Legislature to override a veto.

Rep. Jim Knoblauch (R-St. Cloud), co-chair of the committee, defended the House conferees, saying the Senate was not willing to meet for nearly two months.

Ventura said he might not have vetoed so many projects had the Legislature balanced the operating budget for future budget cycles. The Legislature focused primarily on balancing the 2002-03 budget.

Ventura is a strong advocate of the Northstar Corridor, an 80-mile rail line from the St. Cloud area to Minneapolis. He requested \$120 million for the project in his budget recommendations, but later brought that number down to \$50 million. Funding for Northstar was critical this year; after 2002 the state is no longer eligible for a funding match of federal dollars.

He cautioned legislators that if the money was not in the bonding bill, he would strike other projects he deemed less worthy. The final bill was void of any Northstar dollars.

Ventura's warning prompted Rep. Jim Abeler (R-Anoka), during the May 18 House debate, to attempt to send the bill (HF3618) back to a conference committee so money could be included. The motion failed 84-48.

Abeler said all the people along the route of the corridor want the project.

"We are the voice of the people," he said, and their views should be represented.

"I think we're going to pay big time for being afraid of transit," said Rep. Barb Goodwin (DFL-Columbia Heights).

Other members cautioned there could be no bonding bill if it were sent back to conference committee with so little time left in the session.

"If the Abeler motion passes, the bill dies," said Rep. Greg Davids (R-Preston).

"The governor is liable to veto something no matter what we do," said Rep. Fran Bradley (R-Rochester).

Discussion followed about the fairness of the amount and locations of projects included in the bill.

Rep. Bob Ness (R-Dassel) protested that larger cities will receive the majority of the projects.

"There's really nothing for rural Minnesota," he said. "If you have a college, yes, but

the large part of the state is voided in this bonding bill."

Knoblauch disagreed, noting several projects in rural parts of the state. "If you do the math, metro to rural is very close — about 50-50," he said.

Rep. Eric Lipman (R-Lake Elmo) wanted to "alert members to the numbers that aren't there. 'This bill is too big and unaffordable,'" he said.

Knoblauch admitted the bill is bigger than he wanted it to be, but said some projects were necessary. He also said he had wanted to put more money into transportation.

The final House vote was 102-31. The Senate voted 51-13 shortly thereafter. The Senate sponsor is Sen. Keith Langseth (DFL-Glydon).

Here are some of the projects in the law:

- \$25.5 million for a University of Minnesota-Duluth science building,
 - \$24 million for the University of Minnesota-Twin Cities' Nicholson Hall renovations,
 - \$7.7 million for the University of Minnesota-Crookston's Bede Hall renovations,
 - \$30 million for a Winona State University science building,
 - \$19 million for a Minnesota State University, Moorhead science building,
 - \$30 million for flood hazard mitigation grants,
 - \$23.5 million for state park repair initiatives,
 - \$20 million for the Northwest Metro Busway, and
 - \$16 million for transitional veterans housing.
- Projects that were line-item vetoed include:
- \$8.6 million for a University of Minnesota-Morris science building,
 - \$9.2 million for Southwest State University's library remodeling,
 - \$9.5 million for the Minneapolis Planetarium,
 - \$5.5 million for the Trollwood Performing Arts Center in Moorhead,
 - \$8.2 million for the Minnesota Zoo's Asia Trail and master plan,
 - \$3 million for a national volleyball center in Rochester,
 - \$4.2 million for Governor's Residence renovations,
 - \$24 million for the Guthrie Theater in Minneapolis,
 - \$5 million for the Children's Theatre in Minneapolis,
 - \$4 million for the Roy Wilkins Auditorium in St. Paul,
 - \$13 million for a statewide public safety radio system,
 - \$10 million for trunk highway projects,
 - \$12 million for Greater Minnesota business development grants, and
 - \$8 million for Phalen Boulevard in St. Paul.



PHOTO BY ANDREW VON BANK

The House-Senate conference committee on bonding negotiates to resolve differences during a May 17 meeting.



Objections notwithstanding

House, Senate override Ventura's second veto of a budget-balancing bill this session

By DAVID MAEDA

Passing the first portion of a budget-balancing measure was much easier for legislators than the second.

But they finally got it done.

When the 2002 session convened, the state faced a projected \$1.95 billion current biennial deficit and a \$1.2 billion shortfall in 2004-05.

Within the first month lawmakers passed a law addressing the 2002-03 deficit by overriding Gov. Jesse Ventura's veto. But then the February forecast indicated an additional deficit of \$439 million this biennium and a \$1.4 billion deficit for the following two years.

After months of negotiations, the Legislature passed a deficit reduction bill (HF3270*/SFnone/CH374) May 15 and re-passed it three days later with enough votes to override another Ventura veto. The House vote was 95-38; the Senate 53-14.

In his veto message Ventura wrote, "This bill is not worthy of Minnesota's strong tradition of responsible long-term budget management. This Legislature has deferred the difficult choices. Next year the Legislature and governor will have to face these hard choices with fewer options, fewer resources, and less time."

But Rep. Kevin Goodno (R-Moorhead), the House sponsor, said the new law meets the Legislature's constitutional mandate to balance the state's books in the current biennium.

In addition, \$302 million is returned to the state's budget reserves, and some cuts that occurred in the first budget law (HF351*/SF264/CH220), particularly in the area of health and human services, are restored.

The new law eliminates the \$439 million deficit by transferring funds and using accounting shifts, such as delaying payments.

A temporary adjustment in the K-12 aid payment formula represents the largest shift. State aid to school districts was previously paid in two-year cycles, with 90 percent in the first year and the remaining 10 percent the following year. Under the new law, the percentages change to an 83 percent-17 percent formula. The shift will save \$437.5 million in fiscal year 2002.

The Department of Children, Families and Learning will be appropriated \$17.5 million to make payments to school districts to help offset difficulties that arise from the payment schedule change.

The health and human services and corrections section of the new law will save about \$37 million by delaying payments to counties for social services programs.

Many state services are spared from cuts proposed by the House, and the law does not include a Senate proposal to extend welfare benefits to a number of the families facing a five-year limit beginning July 1, 2002.

Funding is restored for the Department of Corrections and the State-Operated Services (SOS) system, a network of regional treatment centers serving the mentally ill, chemically



PHOTO BY TOM OLMSCHEID

Gov. Jesse Ventura announces that he will veto the budget-balancing bill during a May 18 news conference. Also attending the announcement are Revenue Commissioner Matt Smith, right, and Finance Commissioner Pam Wheelock. Both the House and Senate overrode the governor's veto later that evening, making the bill law.

dependent, and disabled.

A one-time "buy back" of \$8.4 million for the services and \$4.8 million for corrections to mitigate the impact of the hiring freeze included in the first budget-balancing law are part of the newest budget legislation. Each are also exempt from the statewide hiring freeze called for in the previously passed law.

The law provides \$375,000 to reopen the Governor's Residence, making it available for public use. Of that amount, \$175,000 is appropriated to the Department of Public Safety for residence security.

Non-state entities using the residence would be required to pay the state for all costs associated with use of the facility.

The new law adds \$75 million to the general fund by converting cash appropriations for various projects to bonding. The largest is a \$40 million appropriation to help pay for a new Bureau of Criminal Apprehension building.

A transfer of \$155 million from the state's cash flow account into the general fund is in the law. The account is used to meet deficiencies resulting from the uneven distribution of revenue collections and required expenditures.

To address cash flow needs, the state finance commissioner is authorized to use \$1.1 billion in tobacco endowment funds. If funds are transferred, the amount plus interest must be returned to the endowment fund when sufficient cash balances are available in the general fund.


A \$5 million cut to the Legislature's budget is part of the law's budget reduction: \$3 million to the House, and \$2 million to the Senate.

Among cuts in the first budget law that have been restored is a \$250,000 appropriation for the Perpich Center for Arts Education in Golden Valley. The public arts high school offers coursework focused on dance, literary arts, media arts, music, theater, and visual arts.

Also, a one-time \$900,000 appropriation is provided to the veteran's nursing homes board in 2003 for a deficiency in board operations. An

additional appropriation of up to \$500,000 is provided to the board to address issues concerning mold damage at the Luverne facility.

There are various effective dates for the provisions, but much of the law is effective May 19, 2002.

Sen. Doug Johnson (DFL-Tower) was the Senate sponsor. 

One last piece

Law to conform with federal tax changes rounds out second phase of budget-balancing legislation

By DAVID MAEDA

As part of the budget balancing negotiations, House and Senate conferees agreed to several tax provisions that are now law.

Gov. Jesse Ventura allowed the bill to become law without his signature saying it was "inadequate and does not responsibly contribute to the long-term budget solution."

It passed the House 129-4 May 15 and the Senate 63-0 May 16.

House sponsor Rep. Ron Abrams (R-Minnetonka) said many of the provisions make corrections to the 2001 omnibus tax law, including one that would return bakery goods made by the seller to the list of items not subject to sales tax.

As part of the state's participation in an effort known as the Streamlined Sales Tax Project in 2001, the definition of prepared food was changed in law. The project's definition for prepared food included baked goods made by the seller, which affected a number of grocery store based bakeries that made their own products.

The bill would exempt bakery items made by the seller, unless they are served with eating utensils.

The new law specifies exempt bakery items to include bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, Danish, cakes, tortes, pies, tarts, muffins, bars, cookies, and tortillas.

Also, ready-to-eat meat and seafood in an unheated state is included in the sales tax exemption clarification.

Ventura said May 18 that there are "a host of new tax breaks for local projects and businesses."

One such provision will allow cities in the St. Cloud area to impose local sales and use taxes to fund the regional airport. State law requires the Legislature to authorize imposition of local sales taxes.

Two years ago St. Cloud voters approved a sales tax to fund airport, library, and road improvements along with funding for park and trail needs.

The new law also allows the cities of Bloomington and Rochester to increase their local lodging taxes by 1 percent.

Another provision changes the income tax reciprocity arrangement between Minnesota and Wisconsin. Under current practices, people working in the other state only file returns with their home state. The states then determine the amount of tax paid by people who work in the other state. Traditionally, more Wisconsin residents work in Minnesota and thus that state makes a payment to the Department of Revenue.

The new law requires Wisconsin to pay interest if the payment is not made by July 1. The payment has generally been made at the end of the calendar year. If Wisconsin does not agree to the interest payment by Oct. 1, 2002, the law calls for the termination of the reciprocity agreement.

Minnesota will conform with some federal tax changes under the new law. One such change is the federal "Victims of Terrorism Relief Act of 2001" that waives any income tax obligations on wages earned by terrorism victims in the year of their death, or the preceding year. The law also applies to victims of last fall's anthrax attacks and victims of the 1995 Oklahoma City bombing.

It also provides estate tax rate relief and makes nontaxable the settlement and charitable funds, provided by groups like the American Red Cross, to the victim's families. Neither the federal or state benefits would apply to perpetrators of the attacks.


Ventura said one of the reasons he allowed the plan to become law without his signature was its conformity to the federal economic stimulus bill that allows individuals and businesses a temporary additional depreciation deduction.

The deductions are allowed so taxpayers may recover the cost of certain property used for business purposes. The federal change allows businesses to deduct an additional 30 percent in the first year. The provision applies from Sept. 11, 2001 until Sept. 11, 2004.

Officials from the Department of Revenue testified that if the state did not conform to the federal act, the state's tax calculations would become much more complicated. Had the state fully conformed, the estimated cost was \$103.8 million in 2002 and \$129.7 million in 2003.

The new law reflects a partial conformity with the federal act. Individuals and businesses that qualify for the bonus depreciation are allowed to subtract 80 percent of the amount that is required to be added back to taxable income in equal part in the five tax years following the add-back.

Sen. Lawrence Pogemiller (DFL-Mpls) was the Senate sponsor.

HF2498*/SFnone/CH377 

Where to find information

House Public Information Office

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

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

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>

Chief Clerk's Office

211 State Capitol (651) 296-2314

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

Senate Information Office

231 State Capitol (651) 296-0504

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

Around the horn

House, Senate, Ventura all grant approval for
Twins baseball stadium plan, but team support uncertain

By DAVID MAEDA

Fly balls lost in a Teflon roof might even actually be a thing of the past, under a new law passed by the House and Senate that would provide financing for a new \$330 million roof ready baseball park for the Minnesota Twins.

The bill passed the House 72-61 and the Senate 49-18, both on May 18. Gov. Jesse Ventura signed it into law May 22.

Sponsored by Rep. Harry Mares (R-White Bear Lake) and Sen. Dean Johnson (DFL-Willmar), the new law (HF2214/SF1857/CH397) requires an upfront contribution of \$120 million from the Twins and other private sources. The state would then issue revenue bonds to make a loan to a city to pay for the ballpark construction.

The new law will allow the Twins to partner with a city but prohibits a partnership with a county. Mares said county contributions were excluded because the Ventura administration wanted cities to compete on "a level playing field."

The team and host city would be required to make annual payments of \$12 million to the state to pay off the bonds, under the plan.

Subject to voter approval, the host city is authorized to impose food and alcoholic beverage taxes and a lodging tax of up to 5 percent. An admission tax of the same percentage is also authorized, but only if the commissioner of finance determines the additional funds are needed to pay off the bonds.

Mares said that the state tax contribution is limited to a sales tax exemption on the construction materials used to build the ballpark. A prop-

erty tax exemption would also be provided on the land, including a proposed parking facility.

Addressing concerns during House debate about any potential state responsibility for the costs of the stadium, Rep. Ron Abrams (R-Minnetonka) cited language in the bill clarifying legislative intent: no state dollars would be used to pay off the bonds.

"The state neither makes nor has a moral obligation to pay the bonds if the pledged revenues and other legal security for them is insufficient," Abrams said.

Much of the House debate centered on the inability of Hennepin County to assist the city of Minneapolis in its efforts to bid for the ballpark.

"The more folks we have involved in this the better the product will likely be," said Rep. Gregory Gray (DFL-Mpls).

He sponsored a bill that included \$185 million in Hennepin County-issued bonds to build a stadium in Minneapolis. That city requires a referendum for city spending above \$10 million and may need county help.

Rep. Bob Milbert (DFL-South St. Paul) noted that the bill does not shut Minneapolis out of the process. It contains a provision allowing the city to provide more than the \$10 million limit currently

in the city charter through voter approval of additional food, beverage, and lodging taxes.

The principal source of funding in the final bill is similar to the one that passed the House March 25. Interest generated from the \$120 million upfront private contribution would go towards paying off interest on the bonds.

Rep. Dan McElroy (R-Burnsville) said that in order for the financing to work, officials from



Minnesota Twins President Jerry Bell testifies May 18 before the House-Senate Stadium Conference Committee.



Minnesota Twins President Jerry Bell, center, testifies May 18 before the House-Senate Stadium Conference Committee. Also present are Rep. Dan McElroy, Rep. Harry Mares, Rep. Ron Abrams and Rep. James Metzen and Sen. Steve Kelley.

the Department of Finance said that the difference between the interest rate from the \$120 million and the interest rate of the bonds would have to be between 1.4 percent and 1.75 percent.

A number of representatives said the economics of the bill will not work.

"This is an invitation to contract. It's an invitation for (Twins' owner Carl) Pohlad being able to say 'See, nothing works,'" said Rep. Phyllis Kahn (DFL-Mpls).

Rep. Mike Osskopp (R-Lake City) agreed, saying that not only will the bill "not save the Twins, it will do the opposite." He said that the annual payment the team will have to pay would hinder its ability to pay the escalating salaries of the players and remain competitive.

The bill that originally passed the House included a provision requiring baseball owners and players to agree upon a new economic system, which includes enhanced revenue sharing, before state bonds could be issued.

Mares said the agreement reached in conference committee would require the state's executive council, which consists of the state's constitutional officers, to review the prospects for adoption of changes to major league baseball providing increased revenues for small market teams.



PHOTOS BY TOM OLMSCHIED
before the House-Senate Stadium Conference Committee. House members include, from left, Rep. Kevin Goodno, Rep. Bob Milbert. Senate members include, from right, Sen. Linda Scheid, Sen. Roy Terwilliger, Sen. Dean Johnson, Sen.

A proposed football stadium for the Minnesota Vikings and University of Minnesota Gophers is not excluded from the bill.

The bill would appropriate \$500,000 from reserves of the Metropolitan Sports Facilities Commission into a football stadium account

in the state treasury on July 1, 2002. Additionally, upon the sale of the Metrodome, the sale would be added to the account.

The university would be instructed, under the bill, to develop an agreement with the Vikings for a football stadium to be built on



Rep. Harry Mares, center, co-chair of the House-Senate Stadium Conference Committee, leans over the hearing table to talk to Sen. Dean Johnson, left, and Sen. James Metzen, right, during late-night discussions May 17.



State Finance Commissioner Pam Wheelock, right, and Assistant Commissioner Peter Sausen, center, who proposed the financing structure to build a new baseball park, listen May 17 as members of the House-Senate stadium conference committee discuss financing to accomplish the plan.

its Minneapolis campus. The agreement must be presented to the Legislature by Dec. 1, 2002. The provision states the "agreement should assume that legislation authorizing the financing and construction of the stadium will be enacted by March 1, 2003."

Approving a stadium bill adds yet another chapter to a divisive issue that has generated much public attention in recent years.

Former Gov. Arne Carlson called a special session in November 1997 after an announcement that Pohlad had reached an agreement to sell the team to a North Carolina businessman who wanted to move the team.

Calls to legislators' phone lines from constituents were so numerous that the phone system in the Capitol complex mechanically shut down.

Ultimately the House rejected a bill 84-47 that would have used revenue from personal seat licenses, rent from the team, fees from broadcasters, ticket and parking taxes, surcharges on income taxes from the players, and a stadium sales tax to pay off bonds for a \$356 million stadium.

Last fall, with the possibility of the team being contracted by Major League Baseball, the House, Senate, and governor's office each appointed six people to a stadium task force. The governor's appointees included interested Minnesota residents and state agency officials.

Ultimately the group, co-chaired by Rep. Kevin Goodno (R-Moorhead), recommended legislation providing for public financing of a baseball park for the Twins and a football stadium to be shared by the Vikings and the university.

One recommendation was to require Major League Baseball to guarantee a franchise in the Twin Cities for 30 years before the stadium could be built. That provision is in the final bill. 🐾

Preparing for the worst

House, Senate members did not get everything they wanted, but law establishes rules in fight against terrorism

By LISA HILTON

Months of debate ended in the early morning hours of May 19 when the House and Senate approved a scaled-back version of an anti-terrorism package.

The vote came after one final attempt by House and Senate conferees to reach agreement on provisions brought forward by both sides.

Signed into law May 22, the final plan, which was amended to a different bill (HF2515*/SFnone/CH401) sponsored by Rep. Kevin Goodno (R-Moorhead), was approved 106-27 by the House and 66-0 in the Senate.

Although it does not include everything the House fought for, Rep. John Tuma (R-Northfield), a House conferee, said the law provides funding for equipment and training needed to respond to a terrorist attack.

Tuma said emergency responders have told him that if something happens in Minnesota, they are going in, because that's their job. "The only question is," he said, "are we going in fully prepared and equipped?"

The law defines terrorism and sets penalties in place for those convicted, creates a 27-member homeland security advisory council, and sets penalties for trespass or damage to critical public service facilities.

Money is provided in the law for the purchase of equipment and development of staff and training facilities for emergency responders. It will also allow counties to issue bonds to pay for designing and building infrastructure for a public safety communication system.

The new law authorize a 6-cent monthly increase in the 911 service fee, with revenue going to pay off bonds issued for the infrastructure.

Senators had proposed increasing the fee by up to 25 cents to pay for the terrorism package, while House members wanted to use \$22 million of the state's tobacco settlement money to pay for portions of the bill.

The second budget-balancing law set aside \$13 million for anti-terrorism measures.

Some House members said the law should have allowed a greater increase in the 911 surcharge.

The 6-cent surcharge only maintains the current system, said Rep. Jean Wagenius (DFL-Mpls). It would only cost each Minnesotan about the cost of a small McDonald's french fry each year to have a 911 system that works, she added.

The state should do more to improve the system, Wagenius said. "We are telling people we are preparing them for terrorism," she said, but the state is only, "thinking about slight improvements in 2005."

The law attempts to make the state safer by allowing for the expansion of the state's DNA database. Anyone convicted of a felony will be required to submit a blood sample for the database, as will current prison inmates who were convicted of a felony before the law was passed.

Defining what crimes constitute terrorism is also in the law. According to the

law, a crime is committed to further terrorism if it is a violent, premeditated, felony-level crime meant to "terrorize, intimidate, or coerce a considerable number of members of the public in addition to the direct victims of the act."

The criminal act also must significantly disrupt or interfere with the operation of government, commerce, or the right of lawful assembly to be labeled as furthering terrorism.

People trespassing on critical public service facilities such as power plants or water treatment facilities could also face harsher penalties.

The changes make it a felony to damage or trespass on such facilities and allow security workers at the facilities to detain someone if there is reasonable cause to believe the person was going to do damage, or if the person refused to leave. It also requires 'No trespassing' signs to be posted on such facilities.

People who make or possess weapons of mass destruction, as well as those who threaten others with such weapons can now be imprisoned for up to 20 years or face a penalty of up to \$100,000.

The law doesn't include many provisions of the original House bill (HF2622), sponsored by Rep. Rich Stanek (R-Maple Grove).

One of the more contentious provisions would have required a color-coded driver's license for people in the country on temporary visas.

House conferees said the provision would help law enforcement personnel identify people who are in the country on an expired visa.

Senate conferees said they understood the logic of tying the driver's license to the visa, but argued that color-coded licenses would only make it easier for people to discriminate against foreigners with visas.

Public Safety Commissioner Charlie Weaver also encouraged the adoption of laws requiring non-Minnesotans applying for driver's licenses to present two forms of identification.

He said the state denied about 4,500 people licenses last year because of fraud.

Other House provisions not in the law include the following: allowing law enforcement greater access to roving wiretaps and suspect's voicemail, allowing Internet service providers to turn over consumer's stored information if it posed a threat, the creation of a biological agents registry to track where dangerous chemicals are stored, and a provision to allow public meetings to be closed when discussing public security.


Sen. Jane Ranum (DFL-Mpls) sponsored the original Senate version. 



PHOTO BY ANDREW VON BANK

Public Safety Commissioner Charlie Weaver displays color-coded licenses issued by the department. Original anti-terrorism proposals included a plan to provide a different-colored license to people in the country on temporary visas.

No regrets

After a dozen years in the House, Leppik is stepping aside, having reached her self-imposed term limit

BY THERESA STAHL

Rep. Peggy Leppik (R-Golden Valley) says she hopes she will be remembered for being a “good, effective” legislator. She will likely also be remembered for her final words on the House floor said after working through a long night to finish the session.

Leppik, with an inadvertent but endearing *faux pas*, declared her seatmate Rep. Jim Rhodes (R-St. Louis Park) “a wonderful roommate,” which was followed by laughter from the weary members, herself included.

“That is probably the most memorable thing I’ve said in 12 years,” she recalled in an interview, laughing again. “Without a doubt.”

Leppik is retiring after six terms, a decision that wasn’t affected by redistricting.

“I’ve always had it in the back of my mind that eight to 12 years is a reasonable length of time to serve,” she said, “that you should be able to make some kind of positive contribution to achieve something in that time. And I still believe that.”

“I also think that it’s very healthy to have change, both (personally) and politically — for the district.”

She said some people believe there is little hope for challenging an incumbent so they do not get involved. “But when there is no incumbent they start thinking about it in a different way.”

Before running for office, Leppik was involved in her community, participating in her kids’ schools, a planning commission, board of zoning appeals, her college alumni association, and served as president of the Minnesota Opera Association.

But it was the League of Women Voters that “really moved me down this track toward running for office,” she said.

Leppik’s predecessor was retiring, and he called to ask if she would run for office.

“I had to think about it for a while. I had never even really thought about it before.”

Now she says she wouldn’t trade it for the world. “It has introduced me to a world of new ideas, new experiences, new people,” she said.

Many of those experiences have come from serving on an array of committees, including



PHOTO BY ANDREW VON BANK

Rep. Peggy Leppik is stepping down after 12 years in the House.

health, K-12 education, environment, commerce, bonding, and higher education finance, which Leppik currently chairs.

“That’s part of what makes the job of a legislator so interesting — you learn so much about so many things that you were never involved with before and you meet absolutely wonderful people along the way.”

It is the people that Leppik will miss the most. “I’ll also miss going places and seeing things that I would otherwise never have the opportunity to see,” she said.

Some of those unique opportunities have happened just while campaigning. An idea for a bill Leppik sponsored came while door knocking.

It was “a direct result of someone in his yard saying ‘Hey, why don’t you guys change the park permit so that they follow a 12-month cycle instead of a calendar year?’” Leppik recalled. The bill passed rather quickly and ended up saving the Department of Natural

Resources some money.

“The (bills) that are extremely gratifying are the ones you start out on your own, the ones that constituents bring to you,” she said.

This year Leppik sponsored a law restricting phosphorus fertilizer. For years she was concerned about what is being put on residential lawns and how it was affecting wildlife and ecology in wetland areas.

Leppik said she’s ready to retire, but it’s hard to go knowing there’s more she could do.

“It’s leaving the people you’ve worked with that’s very hard because you work with them in a very special kind of environment — it’s a pressure cooker.”

Rhodes, her seatmate on the House floor, said he and Leppik have a lot in common and he will miss working with her.

“She is a legislator that could work with everybody on both sides of the aisle,” he said. “She has great knowledge and passion for her issues. She is someone that has a voice of moderation.”

Rep. Joe Opatz (DFL-St. Cloud) said Leppik is a strong advocate for higher education.

“She cared deeply about higher ed, particularly the U of M,” said Opatz, who serves on the higher education finance committee.

“She’s thoughtful and listened to all sides of sometimes difficult issues, and was fair in allowing members to express interests and concerns,” he said.

Leppik has no immediate plans, except for a trip this winter to New Zealand.

And though it may be hard to leave, she has no regrets.

“I would much rather leave when I’m feeling very good about what I’ve done than leave thinking that I’ve stayed too long.” 🐼

STEPPING DOWN

Rep. Peggy Leppik

Republican

District 45B — Golden Valley

Terms: 6

Career Notes: Leppik is chair of the House Higher Education Finance Committee, and served on health and human services, K-12 education finance, environment and natural resources, capital investment, and commerce, jobs, and economic development committees.

Taking a bite out of crime

Skoglund hopes to carry on his advocacy for the safety of state residents in the Senate chamber

By LISA HILTON

Keeping Minnesotans safe is how Rep. Wes Skoglund (DFL-Mpls) sums up his service as a representative of the people of south Minneapolis for the last 26 years.

Now he hopes to continue that mission as a member of the Senate.

Skoglund said his decision to leave the House and run for the Senate was in part due to the fact that the redistricting plan placed him and Rep. Jean Wagenius (DFL-Mpls) in the same district.

But it was also time for a change, he said.

"I happen to like the House. I'm very comfortable here. I know how it works, and I enjoy

mammograms, tightened the laws regarding career criminals and school attendance, and banned smoking in all state buildings.

For six years, Skoglund served as chair of the House Judiciary Finance Committee, which oversees the state's civil and criminal justice systems. Since Republicans gained control of the House in 1998, Skoglund has served as the DFL lead for the Crime Prevention Committee. He also currently serves on the House Judiciary Finance and Civil Law committees.

Over the years, he has also served on numerous committees such as ways and means, taxes, environment and natural resources, and K-12 education finance.

Rep. Dave Bishop (R-Rochester) has worked closely with Skoglund to pass several sex offender laws, including one requiring community notification when a Level 3 sex offender moves into a neighborhood.

"There were at least eight years where we acted as partners on sex offender legislation," he said. "That's an unusual situation where a chair of a committee partners with a minority member."

Skoglund was a good chairman who kept on top of the issues, Bishop said. "He was very much engaged. He did a lot of research on issues and was very much an active chairman."

Bishop said House members will remember Skoglund as a vigorous challenger of policy and procedure from the minority side. "He was often the first to challenge on points of order."

As two recent examples of his policy battles, Skoglund fought against a bill during the 2001 session that would have changed the procedure for Minnesotans trying to obtain a concealed weapon permit. This session he was also

a leading opponent of allowing the sale of fireworks in the state.

Skoglund, 56, was first elected to the House in 1974 at age 29, but his interest in politics started at a much younger age.

"I've been around public policy all my life," he said. "I remember watching United States conventions from the time I was 7 years old."

The interest in public affairs continued while he studied psychology at the University of Minnesota.

"That's one thing I enjoyed about the U," he said. "There was always some speaker somewhere talking about something somewhere on campus."

After working at Control Data for 24 years, he now works as a substitute teacher for children with special needs, including autism, in the Hennepin County area.

The school district was looking for substitutes, and especially looking for people to work with special needs youth, Skoglund said.

"In the first part of my adult life I volunteered in a program like that, so I had some experience dealing with (cognitively) impaired kids and adults," he said.

Now in his 13th non-consecutive term, Skoglund said the House has become more partisan than when he started.

"Too many of the new members have surrendered their power to the leadership of the majority party," he said. "They have denied themselves the right to be as complete and full a member as I was when I began serving in the Legislature."

When asked for his advice to new representatives, Skoglund said he would encourage them to be themselves and not turn over their votes to a party or special interest. "Remember your constituency. And your constituency is not the lobbyists who stand out in the hall."



PHOTO BY TOM OLMSCHIED

Rep. Wes Skoglund, who has served 13 non-consecutive terms in the House, will run for the Senate this fall.

the personalities," he said. "But it's time to take on a new challenge."

With more than 200 laws associated with his name, Skoglund has sponsored measures that crack down on sexual criminals, tighten gun control laws, and reorganized the juvenile justice system.

Among his accomplishments, Skoglund said he helped his district by improving the criminal justice system, putting more police on the streets and more public prosecutors and defenders in courtrooms.

Other laws Skoglund sponsored guaranteed that medical insurance providers cover

STEPPING DOWN

Rep. Wes Skoglund
DFL

District 62B — Minneapolis
Terms: 13 (non-consecutive)

Career notes: Skoglund has sponsored measures to reorganize the juvenile justice system and crack down on sexual criminals, including one requiring community notification if a level 3 sex offender moves into a neighborhood.

Growth and change

Skoe never thought his career would lead to the Legislature, and now he's seeking a Senate seat

BY THERESA STAHL

Reading his political resume, one might think Rep. Rod Skoe (DFL-Clearbrook) had always planned to run for state office.

"It really was not a long-term plan or goal I had to run for the Legislature," the second-term legislator said.

But his latest move would lend to the theory: he's running for a Senate seat.

Retirements have left open a spot in the northwest Minnesota Senate district that corresponds with his House district. Skoe said he'll miss the "free-wheeling" nature of the House — especially not having to wear a tie — but he's looking forward to working at a different level of state governance.

"I'd like to think I'd be able to make a little bigger difference," he said.

Skoe has long been making a difference through public service, something that is in his blood.

"My parents were involved in the community, so it was natural when I moved to Clearbrook to become involved in the community," he explained. Skoe moved from Kelliher, where he grew up, to Clearbrook, about 70 miles away, a few years after he finished college.

Skoe was involved in a local commodity council for nine years and served as a school board member for three. When a county commissioner position opened, he was encouraged to run and won.

Skoe's first exposure to the Capitol came as chair of the Wild Rice Commodity Council.

"I was nervous, to be honest," he said. "It's an impressive place, but the people are nice and always make you feel welcome."

Later, when Rep. Edgar Olson (DFL-Fosston) retired from the House, he encouraged Skoe to run for his seat.

"It really never crossed my mind that I would be running for representative," Skoe said. "I was happy where I was. I understood the difficulties of moving away from the farm and the family. It just hadn't occurred to me until Edgar pulled me aside one day and was explaining to me that he had to step down and



PHOTO BY TOM OLMSCHIED

After two terms, Rep. Rod Skoe will leave to run for the Senate.

I should consider giving it a shot."

Skoe said his philosophy on representing his district and creating legislation wouldn't change if he were elected to the Senate.

"In the first letter I wrote to my constituents, I said I'm trying to make sure that the things I say are accurate, and I'm trying to become well respected by members in the Legislature so that when I speak they'll listen to what I say and know that it's reasonable."

Skoe acknowledged his role as a DFL member would change from the House, where democrats are the minority, to the Senate where they hold the majority.

"I'm really a minority person (in the House) because I'm a democrat minority and I'm also rural," he said.

As a senator, he said he would probably sponsor more bills, but that was never a legislative goal.

"I didn't come down here thinking I was going to draft legislation that was going to change the world, but I did come down here

to make sure when legislation was moving that affected our area that I was a vital role in how it was drafted."

Committee hearings, where bills originate, are the part of the process Skoe said he enjoys most because of the impact it has.

Skoe serves on the House agriculture policy and finance, environment policy, and K-12 education finance committees. The committees are a good fit for his district and for his personal background, he said. Agriculture and forestry are major industries, and he himself farms wild rice and potatoes.

"He really fits the district well," said Rep. Bernie Lieder (DFL-Crookston), who is Skoe's seatmate. "He's been active in rural issues prior to coming into the Legislature."

Skoe said Lieder is the person he's worked most with at the Legislature, and the one who "really taught me that being nice goes a long ways and it's a very social process."

Lieder said Skoe is a "plain good legislator. He's exceptional and I'd hate to lose him in the House."

Rep. Bob Ness (R-Dassel) expressed the same sentiment, calling Skoe a "common sense, no nonsense" politician who's done an excellent job representing his district.

Their districts don't border, but the two have gotten to know each other through the rural issues they share — mainly agriculture and environment.

Ness, chair of the House Agriculture and Rural Development Finance Committee, said Skoe contributes a "wealth of knowledge" to the committee. He's also a good addition to the House, Ness said, someone who does his job "without the politics of the process."

Ness' words seem fitting for Skoe, who never planned on becoming a politician. But now Skoe says he's content and ready to move to a different legislative body.

"I enjoy the process," he said. "And I'm happy to be here." 🐾

STEPPING DOWN

Rep. Rod Skoe

DFL

District 2B — Clearbrook

Terms: 2

Career notes: Skoe sponsored legislation governing Minnesota Pollution Control Agency feedlot rules, and he worked for several years on a bill that became law in 2002 for Consolidated Conservation Land.

27 will not seek House re-election

A total of 27 members of the Minnesota House of Representatives have announced they will not seek re-election in November 2002. That includes 15 DFLers and 12 Republicans. Over the past few weeks, we have provided a number of Stepping Down profiles on most of the departing members.

However, due to the late date of some member announcements, we have not been able to write profiles on all of them. Below is a list of members who have announced they will not return, as of May 22, 2002, and their length of service in the House.



Rep. Henry Kalis
DFL-Wells
District 26B
Terms: 14



Rep. Tom Bakk*
DFL-Cook
District 6A
Terms: 4



Rep. Roxann Daggett
R-Frazee
District 11A
Terms: 4



Rep. Gary Kubly*
DFL-Granite Falls
District 15B
Terms: 3



Rep. David Bishop
R-Rochester
District 30B
Terms: 10



Rep. Andy Dawkins
DFL-St. Paul
District 65A
Terms: 8



Rep. Rob Leighton
DFL-Austin
District 27B
Terms: 4



Rep. George Cassell*
R-Alexandria
District 10B
Terms: 2



Rep. D. Scott Dibble*
DFL-Mpls
District 60B
Terms: 1



Rep. Peggy Leppik
R-Golden Valley
District 45B
Terms: 6



Rep. James Clark
R-New Ulm
District 23A
Terms: 3



Rep. Gregory Gray*
DFL-Mpls
District 58B
Terms: 2



Rep. Harry Mares
R-White Bear Lake
District 55A
Terms: 4



Rep. Sharon Marko*
DFL-Cottage Grove
District 57B
Terms: 4



Rep. Mike Osskopp**
R-Lake City
District 29B
Terms: 4



Rep. Dale Swapinski**
DFL-Duluth
District 7A
Terms: 2



Rep. Mary Jo McGuire**
DFL-Falcon Heights
District 54A
Terms: 7



Rep. Tom Osthoff
DFL-St. Paul
District 66A
Terms: 14



Rep. Ken Wolf***
R-Burnsville
District 41B
Terms: 5



Rep. Bob Milbert
DFL-South St. Paul
District 39B
Terms: 8



Rep. Doug Peterson***
DFL-Madison
District 13B
Terms: 6

* Representative is seeking election to the Senate or another office.
 **Redistricting paired representative with another incumbent.
 ***Representative accepted another position.



Rep. Carol Molnau*
R-Cologne
District 35A
Terms: 5



Rep. Michelle Rifenberg**
R-La Crescent
District 32B
Terms: 3



Rep. Richard Mulder
R-Ivanhoe
District 21B
Terms: 4



Rep. Rod Skoe*
DFL-Clearbrook
District 2B
Terms: 2



Rep. Bob Ness
R-Dassel
District 20A
Terms: 5



Rep. Wes Skoglund*
DFL-Mpls
District 62B
Terms: 13

Frequently called numbers

(Area code 651)

Information, House	
175 State Office Building.....	296-2146
Toll free	1-800-657-3550
TTY, House	
	296-9896
Toll free	1-800-657-3550
Chief Clerk of the House	
211 Capitol	296-2314
Index, House	
211 Capitol	296-6646
Sergeant-at-Arms, House	
45 State Office Building	296-4860
Committee Hotline, House	296-9283
Information, Senate	
231 Capitol	296-0504
Toll free	1-888-234-1112
TTY, Senate	296-0250
Toll free	1-888-234-1112
Secretary of the Senate	
231 Capitol	296-2343
Voice mail/order bills	296-2343
Index, Senate	
110 Capitol	296-5560
Sergeant-at-Arms, Senate	
Senate Chamber	296-7514/296-1119
Committee Hotline, Senate	296-8088
Legislative Reference Library	
645 State Office Building	296-3398
Governor's Office	
130 Capitol	296-3391
Attorney General's Office	
102 Capitol	296-6196
Secretary of State's Office	
180 State Office Building	296-2803
Capitol Security	
B-5 Capitol	296-6741
Emergency	296-2100

Tracking new laws, vetoes

Exactly 2,248 bills were introduced during the 2002 Legislative Session — 1,176 by the House and 1,072 by the Senate. Of those, 185 bills (and two resolutions) were passed by both bodies during the session and sent to the governor.

So what happened to the other 2,063 bills? Some were duplicates, some were folded into other bills, but most are dead, gone from the legislative process unless they are reintroduced next year. The biennium has ended, and bills do not carry over from one biennium to the next.

And what happened to the 185 bills that have been sent to the governor? Most were signed into law, and some were vetoed.

Here's a quick review of the governor's veto authority during the second year of the biennium.

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

- sign the bill and it will become law;

- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which at the end of the biennium, results in a pocket veto.

The timing of these actions is as important as the actions themselves.

If a bill was passed by the Legislature and presented to the governor before the final three days of the session, the bill will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the secretary of state, but his signature is not required.

If a bill is passed during the last three days of the session, the governor has a longer time to act on it. He or she must sign and deposit it with the secretary of state within 14 days of adjournment or the bill will not become law. Inaction by the governor results in a "pocket veto," and the governor is not required to provide a reason for the veto.

Only on appropriations bills can the

governor exercise the line-item veto authority. This option allows the governor to eliminate the spending items to which he or she objects. As with all vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

This year, the governor acted on all the bills before the 14-day deadline.

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

After each session, a comprehensive summary of all bills that were signed into law or vetoed is published. A Web-based version will be available on the House Web site at <http://www.house.mn> by August 2002.

Editor's note: The following chart includes the 185 bills (and two resolutions) that passed both the House and the Senate and have been sent on to the governor for consideration. The bills are, for the most part, sorted according to the committee of origin.

Here are definitions of some of the terms used in the chart.

Governor's options

- enactment

The date the governor signed the bill into law.

- line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

- Veto

The governor did not approve the bill.

- *An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

Effective dates

Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time. Examples:

- Aug. 1, 2002

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following its final enactment, unless the act specifies a different date.

- July 1, 2002

An appropriations act, or an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

- Day after enactment

The act becomes effective on the day after the governor signs it.

- Upon local approval

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

- Various

Different parts of the act have different effective dates.

- with exceptions (we)

Act includes other effective dates.

- with qualifications (wq)

Act adds conditions to the effective date.

- retroactive (retro.)

Act goes into effect as of a specified date in the past.

2002 MINNESOTA LEGISLATURE FINAL ACTION (as of May 22, 2002)					CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
HF—House File SF—Senate File R—Resolution CH—Chapter									
we—with exceptions wq—with qualifications *—bill the governor signed or vetoed †—approved without governor's signature									
liv—line item veto ◆—Veto overridden by Legislature									
HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
				Agriculture Policy					
1547	Finseth	1495*	Murphy	Omnibus agriculture policy provisions modifications.	244	3/15†			8/1/02
1524	Leppik	1555*	Higgins	Phosphorus fertilizer use regulated.	345	4/19			Various
3719	Finseth	3463*	Murphy	Pesticides application prohibition exceptions (gypsy moth bill).	369	5/10			5/11/02
3183*	Finseth	3219	Murphy	Omnibus agriculture policy bill.	373	5/17			Various
3406	Schumacher	3256*	Stevens	Farmers' market or community event prepared food sale limitations modified.	383	5/20			5/21/02
				Capital Investment					
3618*	Knoblach	none	Langseth	Omnibus bonding bill.	393	5/22	liv		Various
				Civil Law					
3062*	Smith	2839	Ranum	Hennepin and Ramsey counties juvenile court judge term limits repealed.	229	3/7			8/1/02
3190*	Stanek	3111	Ranum	Juvenile court data in statewide supervision system.	233	3/13			8/1/02
3344*	McGuire	2892	Cohen	Second Judicial District combined jurisdiction program authorized.	242	3/14			7/1/02
3584*	Holberg	3302	Knutson	Judgment calculation interest rate formulas modified.	247	3/21			8/1/02
3373	Stanek	3045*	Betzold	Fourth Judicial District domestic fatality review team pilot project extension.	266	3/25			3/26/02
3263	Holberg	3167*	Betzold	Sex offenders civil commitment determinations data access authority.	273	3/25			8/1/02
3579	Holberg	3073*	Knutson	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	282	3/26			8/1/02
2596	Holberg	2673*	Cohen	Child custody provided for by de facto custodians and third parties.	304	3/27			8/1/02
3079	Holberg	2697*	Rest	Real estate transactions disclosure requirements.	306	4/1			1/1/03
2785	Goodno	2542*	Scheid	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	311	4/1			8/1/02
3034	Holberg	2949*	Betzold	Background check public criminal history data expanded.	321	4/8			8/1/02
1517*	Wilkin	1443	Wiener	Swimming pool requirements established for family day care homes.	333	4/12			8/1/02
2735	Greiling	2457*	Berglin	Civil commitment standards modifications; mental health system report.	335	4/16			8/1/02
3455	Leighton	3380*	Knutson	Postnuptial contracts provisions modifications.	338	4/16			8/1/02
3393	Boudreau	3114*	Neuville	Child support obligors limited driver's licenses and payment agreements.	344	4/17			7/1/02 (Secs. 8-12); 8/1/02
2657	Dawkins	2540*	Betzold	Probate property succession provisions modified.	347	4/19			7/31/02 (Sec. 4); 8/1/02 (Secs. 1-3)
2473*	Kahn	2807	Ranum	Darlene Luther Anatomical Gift Act specifying intent and consent requirements.	349	4/24			4/25/02 (Sec. 2); 12/1/02 (Sec. 1)
3443	Juhnke	3200*	Johnson, Dean	Nonprofit environmental learning center insurance coverages regulated.	360	5/8			5/9/02
2649	Smith	2448*	Betzold	Motor vehicle registration records personal information disclosure.	368	5/15			8/1/02
3163*	Lipman	2792	Betzold	Revisor's bill.	379	5/21			8/1/02
3041	Marquart	3231*	Betzold	Nondesignated addresses on license applications declared private data.	389	5/21			8/1/02
3625	Pawlenty	2908*	Kelley	Internet privacy and commercial electronic mail solicitation regulation.	395	5/22			3/1/03
2780*	Lipman	2541	Neuville	Real estate land conveyance and documentation recording provisions.	403	5/22			Various
2629*	Stanek	2913	Limmer	Retired professional designation for Board of Architecture, et al. licensed retirees.	239	3/14			8/1/02
2766*	Haas	2475	Hottinger	Motor vehicle fuel franchise sale federal code compliance expiration date removed.	249	3/21			3/22/02
3058	Stang	2739*	Metzen	Cities additional liquor licenses; hotel rooms liquor cabinets hours of sale restrictions exemption.	318	4/5			4/6/02
3497	Dauids	3015*	Scheid	Commerce Department insurance fraud prevention; crime of employment of runners.	331	4/10			Various
				Commerce, Jobs & Economic Development Policy					
2642*	Gerlach	2760	Lesewski	Mine inspector annual audit requirement modified.	224	3/7			8/1/02
58*	Dehler	389	Betzold	Beer kegs identification and sales requirements.	232	3/13			8/1/02
2783*	Dauids	2671	Scheid	No-fault auto insurance residual liability coverage regulated.	234	3/14			3/15/02
3462	Mulder	3080*	Rest	Funeral trust account provisions modified.	261	3/22			1/1/03
3348	Nornes	3136*	Lesewski	Workers' compensation provisions modified.	262	3/22			Various
1413	Tuma	1226*	Sams	No-fault automobile insurance full medical expense benefits entitlement.	274	3/25			6/30/02
2570*	Wolf	2553	Metzen	Automobile insurance damaged window glass claims payment basis modified.	283		3/26◆		3/28/02
3078	Stang	2821*	Scheid	Real estate industry licensee conduct regulated.	286	3/26			8/1/02
3222	Ruth	2953*	Hottinger	Fire insurance excess coverage prohibitions.	295	3/26			3/27/02
3492	Dauids	3315*	Scheid	Insurance provisions modification.	307	4/1			4/2/02
3464	McElroy	3174*	Kelley	Money Transmitter Act small business category created.	326	4/8			4/9/02
2719*	Leppik	2827	Wiener	Uniform Athlete Agents Act providing student athlete agent registration adopted.	332	4/10			1/1/03
2763	Entenza	2592*	Oliver	Mutual insurance holding companies reorganization to stock companies.	336	4/16			Various
2751	Stang	2650*	Samuelson	Credit unions regulation provisions modifications.	339	4/16			8/1/02
3445	Wagenius	3238*	Ranum	Nonprofit neighborhood organization members directors election, voting right notice option.	340	4/16			8/1/02
3257	Dauids	2988*	Metzen	Financial institutions detached facilities, charges, and mortgage prepayment penalties regulated.	342	4/17			Various
2525	Hackbarth	2960*	Johnson, Debbie	Certain fireworks legalized; unpaid volunteer firefighting leave.	350	4/29			4/30/02
2492	Dauids	2363*	Johnson, David	Homeowners and automobile insurers credit scoring use restriction and regulation.	357	5/1			8/1/02
2573	Juhnke	2707*	Kelley	Real estate task force funding provisions modification and clarification.	365		5/15◆		Various
2710	Entenza	3246*	Cohen	Telephone solicitation calls regulation.	367	5/15			Various

**2002 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 22, 2002)**

HF—House File
SF—Senate File
R—Resolution
CH—Chapter

we—with exceptions
wq—with qualifications
*—bill the governor signed or vetoed
†—approved without governor's signature

liv—line item veto
◆—Veto overridden by Legislature

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
1868	Davids	1755*	Stumpf	School employee health insurance plan feasibility study provided.	378		5/18 ◆		5/21/02
2989	Haas	3024*	Scheid	Department of Commerce housekeeping bill.	387	5/22			Various
2726	Stang	2422*	Fischbach	Motor vehicle dealers transfers deadline clarified.	388	5/21			8/1/02
3411	Bakk	3207*	Tomassoni	Resolution urging delayed termination of LTV pension plan.	Res.7	2/27			
				Crime Prevention					
351*	Stanek	264	Johnson, Doug	Omnibus budget balancing and appropriations bill.	220		2/25 ◆		Various
3049	Tuma	3019*	Ranum	Predatory offenders registration requirement expansion.	222	2/28			3/1/02
2662	Stanek	2611*	Ranum	Interstate compact for adult offender supervision.	268	3/25			8/1/02
1934	Stanek	1030*	Wiger	National crime prevention and privacy compact.	269	3/25			8/1/02
2842	Tuma	3244*	Schwab	Evidentiary laboratory blood sample reports electronic signatures.	301	3/27			8/1/02
2840	Clark, J.	2580*	Foley	Criminal prosecution estoppel provisions modified.	314	4/4			Various
2841	Penas	2533*	Foley	Criminal offenders county correctional services costs payment.	322	4/8			8/1/02
2687	Entenza	3075*	Cohen	Motor vehicle sales tax payment for sales in violation of dealer licensing requirements.	343	4/17			6/30/02
3048	Workman	2460*	Kleis	Criminal penalties for persons who take responsibility for criminal acts provided.	348	4/24			7/1/02 (Sec. 1); 8/1/02 (Sec. 2)
2618*	Holberg	3373	Knutson	Personnel not public data sharing authority.	352	5/1			8/1/02
3304	Tuma	2433*	Betzold	Criminal sexual conduct definition expanded relating to vulnerable adults.	381	5/21			Various
3613	Tuma	3172*	Knutson	Repeat sex offenders conditional release period extension.	385	5/21			8/1/02
				Education Policy					
2748	Westrom	2573*	Berg	Browns Valley school year start before Labor Day.	230	3/13			3/14/02
2835	Dawkins	3028*	Kelley	National and community service commission nonprofit corporation creation.	334	4/12			Various
2598*	Cassell	2411	Reiter	School Pledge of Allegiance recitation requirement.	391		5/22		
				Environment & Natural Resources Finance					
2792*	Ozment	2575	Price	Municipalities indemnified for participating in household hazardous waste programs.	265	3/22			3/23/02
2970*	Hackbarth	3010	Stumpf	Recreational motor vehicles use provisions modification.	355	5/1			Various
2973	Holsten	2738*	Price	Natural resources provisions modifications.	376	5/20			Various
				Environment & Natural Resources Policy					
3116*	Ozment	2822	Vickerman	Environment and Natural Resources Trust Fund provisions modified.	225	3/7			3/8/02
3275	Gerlach	2932*	Krentz	Citizen water quality monitoring encouraged.	253	3/22			8/1/02
3512	Cassell	3258*	Larson	Garfield state land exchange.	257	3/22			8/1/02
94	Haas	222*	Krentz	Game and fish laws gross overlimit violations penalties.	270	3/25			3/1/03
2889	Howes	2933*	Kinkel	Individual sewage treatment systems installation.	293	3/26			8/1/02
3519	Ozment	2675*	Krentz	State agencies required to use cleaner fuels.	312	4/4			8/1/02
2684	Hackbarth	2678*	Higgins	Natural Resources Department provisions modifications.	323	4/8			Various
3432	Holsten	3352*	Lessard	Dry cleaner environmental response and reimbursement.	324	4/8			4/9/02 (Sec. 1); 4/1/02 (Sec. 2)
3209	Holsten	3054*	Tomassoni	Petrofund consultant and contractor registration period modifications.	325	4/8			8/1/02
2920	Ozment	2674*	Krentz	Omnibus game, fish, and forest bill provisions modifications.	351	4/29			Various
1359	Ozment	2125*	Moe	Wildlife management areas land additions and ATV use regulations.	353	5/1			Various
3025	Peterson	2727*	Samuelson	State park and recreation area land additions and deletions.	366	5/15			5/16/02
3129	Holsten	3134*	Higgins	Individual sewage treatment classification clarified and waste tire grant and loan program abolished.	382	5/20			Various
				Family & Early Childhood Education Finance					
3196*	Mares	2966	Robertson	State procurement law ethical provisions clarified.	298	3/26			8/1/02
3240	Clark, J.	2814*	Murphy	Electronic voting authorized for cooperatives.	303	3/27			8/1/02
3221	Eastlund	3145*	Foley	Military justice code revisions.	308	4/1			8/1/02
3379	Rhodes	3384*	Hottinger	Campaign finance and public disclosure law provisions modified.	363	5/9			8/1/02
				Governmental Operations & Veterans Affairs Policy					
2695*	Mares	2531	Pogemiller	Minneapolis Firefighters Relief Association retirement provisions corrections provided.	231	3/13			Various
3296*	Thompson	3206	Marty	State employee Social Security administrative duties transfer.	243	3/14			8/1/02
2612*	Rhodes	2562	Scheid	Licensed architect, et al. requirement circumstances revised.	245	3/15			3/16/02
2742*	Seifert	2757	Betzold	State agency contested case procedures regulation provided.	251	3/21			8/1/02
3133	Lipman	2971*	Knutson	State procurement competitive bidding for building and construction contract references.	254	3/22			8/1/02
1097	Solberg	1072*	Lessard	"Grace" state photograph designation.	255	3/22			8/1/02
3238	Johnson, J.	3115*	Kelley	State energy efficiency installment purchases regulation provisions modified.	260	3/22			3/23/02
3274*	Blaine	3068	Murphy	Military active service protections.	284	3/26			Retro. to 9/11/01
3080	Stanek	3055*	Betzold	Metropolitan transit police provisions modifications.	291	3/26			3/27/02
3029	Boudreau	2680*	Limmer	Energy building code requirements changed in certain instances.	317	4/5			Various
1683	Paulsen	2150*	Stevens	Technology circuits or systems contractors and power limited technicians.	328	4/8			8/1/02
3537	Rhodes	3288*	Kelley	Firefighters interest arbitration decision provision expiration date extension under PELRA.	337	4/16			8/1/02

**2002 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 22, 2002)**

HF—House File
SF—Senate File
R—Resolution
CH—Chapter

we—with exceptions
wq—with qualifications

*—bill the governor signed or vetoed

†—approved without governor's signature

liv—line item veto

◆—Veto overridden by Legislature

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
3073*	Osskopp	2940	Vickerman	Gambling provisions modifications.	386	5/21			5/22/02 (Art. 4, Sec. 1); 8/1/02
3127*	Mares	2984	Johnson, Dean	Omnibus pension bill.	392	5/22			Various
2886*	Howes	2734	Kinkel	Leech Lake Reservation tribal band members additional election day identification procedures.	394	5/22			8/1/02
3236	Goodno	3099*	Berglin	Medical Assistance continuing care programs and MFIP hardship extensions expanded.	375	5/18			Various
				Health & Human Services Finance					
3276	Boudreau	3100*	Berglin	Medical assistance reimbursement for tribal health services.	275	3/25			8/1/02
				Health & Human Services Policy					
2698	Paulsen	2655*	Samuelson	Extending physical therapy board authority to adopt licensee ethics rules.	219	2/27			2/28/02
97	Greiling	58*	Foley	Changing terminology in statute of references to mentally ill.	221	2/27			8/1/02
3148*	Rhodes	3025	Kelley	Speech-language pathologist and audiologist registration requirements modified.	227	3/7			8/1/02
2992*	Rhodes	2865	Stevens	Occupational therapist temporary licensure terms modified.	228	3/7			8/1/02
3309*	Cassell	3082	Larson	Nursing home licensed bed lay away authorized during moratorium projects.	240	3/14			8/1/02
2813*	Molnau	2803	Robling	Child care providers required to develop policies for reporting suspected child maltreatment.	248	3/21			8/1/02
2531*	Goodno	2381	Berglin	Hospice care providers regulated, and criminal penalties imposed.	252	3/22			Various
2603	Paulsen	2627*	Kiscaden	Optometrists and physicians contact lenses prescriptions regulated.	259	3/22			8/1/02
2993	Howes	2463*	Anderson	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	272	3/25			8/1/02 (Sec. 3); 1/1/03 (Secs. 1, 2)
3291	Nornes	3124*	Foley	Nursing board care homes resident reimbursement classifications provisions modification.	276	3/25			8/1/02
3245	Boudreau	3126*	Foley	Health care and human services programs provisions technical modifications.	277	3/25			8/1/02
2600	Mulder	2419*	Lesewski	Child care programs wading pools public swimming pools regulations exemption.	279	3/25			Various
2678	Solberg	2768*	Lessard	Medical assistance demonstration project provisions modified.	281	3/26			8/1/02
2664	Bradley	2459*	Sams	Supplemental nursing services agencies registration criteria expansion.	287	3/26			Various
3091	Abeler	2764*	Marty	Mentally retarded persons incidents and emergencies reporting standards modification.	289	3/26			8/1/02
2932	Sykora	2614*	Kiscaden	Foster care placement communicable diseases disclosure requirement.	290	3/26			8/1/02
2757	Abeler	2692*	Sams	Human services licensure.	292	3/26			8/1/02
2635	Bradley	2550*	Berglin	Special education services costs reimbursement.	294	3/26			3/27/02
3223	Harder	2793*	Vickerman	Out-of-state facilities for children with severe emotional disturbance certification plan required.	300	3/27			8/1/02
1224*	Dauids	887	Lourey	Medical response unit registration provided.	310	4/1			8/1/02
2647	Erickson	2569*	Stevens	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	313	4/4			Retro. to 6/30/01
2988*	Haas	3023	Scheid	Insurance licenses, fees, and coverages regulated; health care administration simplified.	330	4/8			Various
3193	McElroy	2957*	Samuelson	Dentist practice violations reporting requirements.	341	4/17			8/1/02
2935	Penas	2909*	Sams	Health maintenance organizations rural demonstration project authorized.	346	4/19			4/20/02
3249	Hilty	2998*	Lourey	Certain alcohol and drug counselors licensing requirements waived.	354	5/1			8/1/02
3346	Mulder	3026*	Kelley	Interstate telemedicine services regulation.	361	5/8			7/1/02
3359*	Abeler	3005	Wiener	Nurses protocol modifications.	362	5/8			Various
3200*	Goodno	3155	Kiscaden	Dentist and dental hygienist guest licenses and dental assistant guest registration established.	370	5/15			5/16/02 (Sec. 1); 7/1/02 (Sec. 2)
2903	Goodno	2486*	Samuelson	Health care cost reduction and improving health care quality report required.	384	5/21			8/1/02
3092*	Abeler	3085	Hottinger	Health care provider immunity granted for specific reference check data to prospective employer.	396	5/22			7/1/02
3350*	Abeler	2811	Kiscaden	Donated dental services, volunteer health care providers programs established.	399	5/22			7/1/02
2515*	Goodno	none	none	Anti-terrorism Act of 2002 established.	401	5/22			Various
3031*	Mulder	2669	Hottinger	Minnesota Emergency Health Powers Act (bio-terrorism).	402	5/22			5/23/02
				Higher Education Finance					
2681*	Hackbarth	2469	Moe	Resolution supporting personnel responding to Sept. 11 terrorist attacks.	Res. 6	1/31			
				Jobs & Economic Development Finance					
3648	McElroy	3431*	Anderson	Omnibus jobs and economic development finance bill.	380	5/21			Various
				Local Government & Metropolitan Affairs					
1297	Dempsey	1471*	Vickerman	Municipal Board authority transferred to Office of Strategic and Long-Range Planning.	223	3/5			8/1/02
2624*	Buesgens	2441	Robling	Shakopee Public Utilities Commission increased from three to five members.	226	3/7			Upon local approval
1189*	Vandever	1376	Bachmann	Election of municipal council members provided after annexation.	235	3/14			3/15/02
1620*	Howes	2210	Tomassoni	Orderly annexation agreements strengthened.	236	3/14			3/15/02
2987*	Bakk	2873	Johnson, Doug	Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	237	3/14			3/15/02
3202*	Smith	2801	Olson	Delano Public Utilities Commission increased to five members.	238	3/14			Upon local approval
2637*	Ozment	2472	Vickerman	Temporary town officeholders authorized in event of inability or refusal to serve.	241	3/14			8/1/02
2899*	Holberg	2711	Rest	Livable community demonstration account provisions modified.	246	3/21			3/22/02
3074	Ruth	2834*	Day	Steele County recorder appointment.	256	3/22			Upon local approval
2652	Lieder	2434*	Moe	Polk County recorder and auditor-treasurer appointment.	258	3/22			Upon local approval
2753	Hilty	2590*	Lourey	Carlton County recorder appointment authorized.	263	3/22			Upon local approval
2796*	Ozment	2670	Higgins	Minneapolis asphalt plant construction authority.	264	3/22			Upon local approval

2002 MINNESOTA LEGISLATURE FINAL ACTION (as of May 22, 2002)					CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
HF—House File			we—with exceptions						
SF—Senate File			wq—with qualifications						
R—Resolution			*—bill the governor signed or vetoed						
CH—Chapter			†—approved without governor's signature						
HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
2873	Wilkin	2578*	Wiener	County human services and public health clients support programs.	271	3/25			3/26/02
3061	Dibble	3117*	Metzen	Metropolitan Council interceptor facilities continued use determination.	278	3/25			12/31/02
2933	Stang	2546*	Fischbach	Rockville and Pleasant Lake consolidation plan joint development required.	296	3/26			3/27/02
3224	Abrams	3034*	Robertson	Hennepin County Medical Center cooperative purchasing authority.	302	3/27			8/1/02
3506	Ozment	3084*	Rest	State and local government units auditing and reporting requirements modifications.	309		4/1		
3169	Vandever	2881*	Cohen	Housing; municipal low-income housing authority specified.	315	4/5			8/1/02
3030	Buesgens	3322*	Orfield	Metropolitan Council existing service capacity external use provided.	320	4/8			4/9/02 (Secs.2,3);7/1/02 (Sec.1)
1763	Olson	1811*	Ourada	Public drainage systems jurisdiction transfer.	327	4/8			8/1/02
3509	Howes	3257*	Solon, Y.	Housing and redevelopment authority officers grant or loan eligibility.	356	5/1			8/1/02
2995	Howes	3168*	Stevens	Walker authorized to maintain and operate state water tower at Ah-Gwah-Ching.	358	5/1			5/2/02
2906	Abrams	2568*	Rest	Hennepin County parking facilities and real property leases provisions modification, repeal.	359	5/3			Upon local approval
2836	Abrams	2572*	Hottinger	Region Nine Development Commission nonprofit corporation establishment.	390	5/22			Various
				Regulated Industries					
3125*	Wolf	2987	Metzen	Telecommunications access for communication-impaired persons program renamed.	329	4/8			Upon local approval (Sec.5);8/1/02
2550	Osskopp	2392*	Metzen	Emergency 911 telecommunications system.	372	5/17			Various
2972*	Wolf	2740	Metzen	Energy regulation and technical corrections provided,comprehensive energy plan for public buildings.	398	5/22			Various
				Rules & Legislative Administration					
3410	Johnson, J.	2891*	Betzold	Legislative enactments technical correction provided (Revisor's bill #2).	400	5/22			Various
				State Government Finance					
197*	Bishop	107	Langseth	Noncommercial television station and metro bus garage grant provided.	280		3/27◆		4/10/02
3270*	Goodno	none	Johnson, Doug	Omnibus supplemental budget balancing bill.	374		5/18◆		Various
				Taxes					
2498*	Abrams	none	Pogemiller	Omnibus tax bill.	377	5/18†			Various
2214*	Mares	1857	Johnson, Dean	Stadium bill.	397	5/22			5/23/02
				Transportation Policy					
3189*	Workman	3135	Johnson, David	Street-sweeping vehicles defined as special mobile equipment for registration purposes.	250	3/21			8/1/02
3362	Stanek	3109*	Schwab	Municipal police departments black patrol vehicles.	267	3/25			8/1/02
2882*	Workman	3122	Chaudhary	Electric personal assistive mobility device and roadway and sidewalk regulations.	285	3/26			8/1/02
1885	Workman	2115*	Oliver	Motor vehicle dealers surety bond requirements clarification.	288	3/26			8/1/02
2884*	Osskopp	2715	Murphy	Motor vehicle excessive gross weight civil fine imposition modified.	297	3/26			3/27/02
3205	Clark, J.	2890*	Knutson	Public works contracts regulated.	299	3/27			8/1/02
3328	Molnau	3278*	Scheid	Driver's education organ and tissue donation instructions.	305	3/27			8/1/02
3076	Knoblach	2612*	Kleis	Funeral procession escort private vehicle authorized to use flashing red lights.	316	4/5			8/1/02
2706*	Entenza	3076	Cohen	Obstruction of emergency vehicle during emergency duty misdemeanor penalty provided.	319	4/5			4/6/02 (Sec.1); 8/1/02
3199	Kuisle	3298*	Johnson, Dean	Transportation provisions modifications.	364	5/9			8/1/02
3203*	Kuisle	3233	Murphy	Omnibus public safety bill.	371	5/17			Various

Constitutional Officers

Governor Jesse Ventura

130 State Capitol
75 Constitution Ave.
St. Paul 55155 (651) 296-3391

Lieutenant Governor Mae Schunk

130 State Capitol
75 Constitution Ave.
St. Paul 55155 (651) 296-3391

Attorney General Mike Hatch

102 State Capitol
75 Constitution Ave.
St. Paul 55155 (651) 296-6196

Secretary of State Mary Kiffmeyer

180 State Office Building
100 Constitution Ave.
St. Paul 55155 (651) 296-2803

State Auditor Judith H. Dutcher

Suite 400
525 Park St.
St. Paul 55103 (651) 296-2551

State Treasurer Carol Johnson

303 Administration Building
50 Sherburne Ave.
St. Paul 55155 (651) 296-7091

Minnesota Memorials



World War II gun

Dedicated on May 10, 1958, the World War II gun located on the south side of the Veteran's Building was involved in one of the saddest days in United States history.

When the Japanese attacked Pearl Harbor on Dec. 7, 1941, the U.S.S. Ward was returning toward the Hawaiian port after the attack had already begun.

According to Paul Mandell, a principal planner with the Capitol Area Architectural and Planning Board, crewmen aboard the naval destroyer got word of Japanese submarines in the area. "They saw the periscope from one of the submarines and actually fired on them using that gun. There were two guns on the boat and that battery was completely St. Paul people." The first firing against Japan by the United States happened at 6:45 a.m. The submarine was sunk.

After the U.S.S. Ward was retired, the gun was retrieved and returned to the Capital City.

Mandell said battery members usually have a get-together at the site on Dec. 7 each year.

The monument, which is now aimed at the Minnesota History Center, has been moved once. It used to be where the Roy Wilkens Memorial is now located along John Ireland Boulevard. That memorial was dedicated in November 1995. Planning board guidelines say that Minnesotans are supposed to be recognized along the boulevard, which is why a memorial to Charles Lindbergh is also on that part of the Capitol Complex.

(M. Cook)

Reflections



At the beginning of a legislative session, activity around the Capitol complex usually begins at a slow pace. Four or five months later, the momentum increases greatly as lawmakers meet the challenges of passing their most important bills before they adjourn.

The 2002 session did not follow suit. It began at a rapid pace, and then slowed to a crawl. But as it got closer to the mandated adjournment date, tension built to a crescendo as lawmakers got a finance bill to the governor in time to override a veto if necessary.

This was also the year for approving new legislative districts, which means that many lawmakers will have to be elected by a new group of constituents or run against a colleague.

For some it was time to step down.

In the past, most retiring members did not announce their intentions until the last day of session. However, halfway through a nearly four-month legislative stint this year, a dozen had already said they would retire.

As of May 23, four days after the House adjournment, the number of representatives that will not be back is at an unprecedented 27. The count is 13 in the Senate.

Most members are retiring just because it was time to leave public life and say goodbye to their legislative friends and colleagues. They will be missed for their distinguished public service.

So here is a tribute to an uncommon group of hard-working individuals who will not return in 2003. Their uniqueness is outstanding, and their willingness to sit

through hours of debate and stressful times should not go unnoticed.

Here's to lawmakers who always stood on principle and voted yes or no, even when they were cautioned to do otherwise.

Here's to all who gave up a personal life to live in "a bubble" and be scrutinized by the public.

Here's to members who patiently sat through conference committee negotiations in hopes of reaching some compromise on issues.

Here's to those who fought for issues close to their heart and won, and to those who put up a good fight and lost.

It is time to say goodbye to memorable moments like Rep. Dave Bishop (R-Rochester) being hugged on the House floor by Republicans and Democrats alike. It's time to say goodbye to members like Rep. Bob Ness (R-Dassel) who believes "it is time for another transition in [his] life."

And its time to say goodbye to occasions like the one observed by Kate Engstrom, a House page who noted that "at 4 a.m. on Sunday morning, the partisan members were like a body of one. In the last two hours of session, I saw Rep. Peggy Leppik (R-Golden Valley) and Rep. Phyllis Kahn (DFL-Mpls), resting on the same bench as they awaited final bills from the Senate."

It has been a distinctive journey and a memorable experience, but as tenor Andrea Bocelli and soprano Sarah Brightman sing in their duet "Con Te Partiró" — it's "Time To Say Goodbye."

—LECLAIR GRIER LAMBERT



To find out who represents you
at the Capitol . . .

Call the House Public Information
Office at (651) 296-2146
or 1-800-657-3550

MINNESOTA

I N D E X

2002 Legislative Session

House files introduced during the 2002 session	1,176
In the biennium	3,741
In the 1999-2000 biennium	4,181
Senate files introduced during the 2002 session	1,072
In the biennium	3,480
In the 1999-2000 biennium	3,835
Number of bills introduced this biennium	7,221
In 1999-2000	8,016
In 1997-98	7,309
Bills sent to the governor in 2002	185
In 2001	218
In 2000	250
In 1998	157
Bills signed by the Governor	175
Number filed into law without the governor's signature	2
Bills waiting for gubernatorial action	0
Number of full gubernatorial vetoes in 2002	8
Number of additional bills with line-item vetoes in 2002	1
Total bills with line-item vetoes for the biennium, including special session	6
In the four years Ventura has been governor	54
When Arne Carlson was governor (1991-98)	179
When Rudy Perpich was governor (1983-90)	20
Gubernatorial vetoes since 1939	410
Veto overrides in 2002	6
Maximum number of legislative days that lawmakers can meet	
in regular session during the biennium	120
Number used in 2001-02	116
In 1999-2000	118
In 1997-98	109
Pages in the 2002 House Journal	3,419
Pages for the biennium	8,952
In 1999-2000	10,170
In the 2001-02 Senate Journal	7,154
Time the House adjourned <i>sine die</i> May 18*	5:45 a.m.
Number of House members that have announced they will not be back	
in 2003 (as of noon May 23)	27
As percent of House members	20.1
Number not returning which are DFL, Republican	15, 12
Number seeking a Senate seat	7
Number stepping down that are being paired through redistricting	
with someone else in his or her party	5
Days between May 19 House adjournment and Nov. 5 general election	170
Days from May 19 until the start of 2003 session on Jan. 7	233
Time lawmakers will convene on Jan. 7, 2003	12 noon

* Lawmakers actually adjourned on May 19, but it is counted as May 18 because a legislative day lasts from 7 a.m. to 7 a.m.

Sources: House Public Information Office; Legislature Web site (www.leg.state.mn.us); Governor's Log 2002; *Journal of the House*; *Journal of the Senate*.

FOR MORE INFORMATION

For general information, call:
House Information Office
(651) 296-2146 or
1-800-657-3550

To obtain a copy of a bill, call:
Chief Clerk's Office
(651) 296-2314

To find out about bill introductions or the status of a specific bill, call:
House Index Office
(651) 296-6646

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

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

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

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

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

Senate Index
(651) 296-5560

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

Tape here
Do not staple



Place
Stamp
Here

Minnesota House of Representatives
Public Information Office
175 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1298



Fold in half here

Tear here

Dear *Session Weekly* Subscriber:

Your free subscription to *Session Weekly* expires at the end of 2002. Postal regulations prevent us from automatically renewing subscriptions.

If you wish to continue receiving *Session Weekly*, please make corrections, if any, to your mailing address. **Please write legibly, complete the entire card and provide your signature and phone number. Then, tear off this page on its perforated edge, fold, tape, and mail, or fax (including the survey on the reverse side) to (651) 297-8135. Remember to affix a stamp before mailing.**

The first issue of *Session Weekly* is tentatively scheduled for January 2003.

Please respond by **July 1, 2002**, to ensure uninterrupted delivery.

____ Yes, I want to renew *Session Weekly* for 2003

Signature

Phone number (U.S. Post Office request)

**Renew online:
Go to <http://www.house.mn/swform.htm>
to renew your subscription.**

Thank you.
Minnesota House of Representatives
Public Information Office

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

Readership Survey: 2002 *Session Weekly*

Please take a moment to tell us what you think of *Session Weekly*. Your opinions will help us plan for next year.

1. How often do you read *Session Weekly*? (Check one.)

☐ Once a month ☐ Twice a month ☐ Three times a month ☐ Every week

2. Where do you receive *Session Weekly*?

☐ Home ☐ Work ☐ School ☐ Other

3. How many people read the copy sent to this address?

4. Which sections do you most often read? (Check all that apply.)

<input type="checkbox"/> Highlights	<input type="checkbox"/> News Features (First Reading, At Issue)	<input type="checkbox"/> Historical Features
<input type="checkbox"/> Member Profiles	<input type="checkbox"/> Resources (i.e., lists)	<input type="checkbox"/> Governor's Desk
<input type="checkbox"/> Bill Introductions	<input type="checkbox"/> Committee Schedule	<input type="checkbox"/> Minnesota Index
<input type="checkbox"/> Reflections	<input type="checkbox"/> The 50 States	<input type="checkbox"/> Minnesota Memorials

5. Please rate the following aspects of the *Session Weekly* by checking one answer in each set.

Writing	<input type="checkbox"/> Hard to understand	<input type="checkbox"/> Somewhat understandable	<input type="checkbox"/> Easy to understand
Story Length	<input type="checkbox"/> Too short	<input type="checkbox"/> Too long	<input type="checkbox"/> Just right
Story Topics	<input type="checkbox"/> Not at all interesting	<input type="checkbox"/> Interesting	<input type="checkbox"/> Very interesting
Layout	<input type="checkbox"/> Poor	<input type="checkbox"/> Average	<input type="checkbox"/> Excellent
Photographs	<input type="checkbox"/> Poor	<input type="checkbox"/> Average	<input type="checkbox"/> Excellent

6. Do you have any suggestions for improving the magazine?

7. Do you have Internet access? ☐ Yes ☐ No Do you read *Session Weekly* on the Internet? ☐ Yes ☐ No

8. What day of the week do you typically receive the *Session Weekly* in the mail?

9. Do you subscribe to the Senate publication *Senate Briefly*? ☐ Yes ☐ No

Would a combined House and Senate publication be useful to you? ☐ Yes ☐ No

Please include any comments you may have about the format of the publications.